

# **General Project Plan**

## **Exhibit C**

### **Design Guidelines**

Pennsylvania Station Area  
Civic and Land Use Improvement Project

Design Guidelines  
July 2022



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## 1. INTRODUCTION

### A. Project Description

The Pennsylvania Station Area Civic and Land Use Improvement Project (the “Project”) is a civic project and land use improvement project that addresses substandard and insanitary conditions in the Project Area (defined herein) by facilitating development that will create a cohesive, transit-oriented mixed-use commercial and residential district. The Project will provide new entrances to Penn Station and the three subway stations in the Project Area and will include a network of below-grade pedestrian concourses connecting Penn Station and the subway stations. The Project is overseen by the New York State Urban Development Corporation doing business as Empire State Development (“ESD”) pursuant to the General Project Plan for the Project (the “GPP”) affirmed by the ESD Directors in July 2022.

The Project Area is located in Midtown Manhattan and is defined by the boundaries set forth in Figure II-2. It is generally bounded by Sixth and Ninth Avenues to the east and west, and West 30th and West 34th Streets to the south and north. The redevelopment of the eight Project Development Sites (defined herein), shown in Figure II-2 and detailed in Table 1, will generate essential revenue for substantial improvements at Pennsylvania (Penn) Station, subway stations and the potential below-grade expansion of Penn Station to the south.

Table 1: Project Development Sites				
Site	Location	Site Area (sf)	Block	Lots
Site 1A	South side of W. 31st Street beyond 150 feet west of Eighth Avenue	34,563	754	63 and part of 51
Site 1B	West side of Eighth Avenue between W. 30th & W. 31st Streets	29,625	754	34-41, 44 & part of 51
Site 2	Block bounded by W. 30th & W. 31st Streets and Seventh & Eighth Avenues. Subdivided into Site 2A, Public Plaza, and Site 2B.	158,000	780	All
Site 3	East side of Seventh Avenue between W. 30th & W. 31st Streets	44,436	806	1, 3, 6, 9, 69, 76
Site 4	East side of Eighth Avenue between W. 33rd & W. 34th Streets	34,807	783	1 & part of 70
Site 5	West side of Seventh Avenue between W. 33rd & W. 34th Streets	45,425	783	34, 48 & part of 70
Site 6	East side of Seventh Avenue between W. 33rd & W. 34th Streets	54,313	809	1, 3, 4, 5, 8, 16, 17, 69, 73, 80 & 82
Site 7	East side of Seventh Avenue between W. 32nd & W. 33rd Streets	79,000	808	7501
Site 8	West side of Sixth Avenue between W. 32nd & W. 33rd Streets	79,000	808	40

## B. Purpose of the Design Guidelines

In accordance with the New York State Urban Development Corporation Act, the GPP overrides the New York City Zoning Resolution (“Zoning Resolution” or “ZR”) with respect to the redevelopment of the Project Development Sites pursuant to the GPP. In lieu of the Zoning Resolution, the GPP and these Design Guidelines shall control, except where a specific provision of the Zoning Resolution is incorporated herein by reference.

The override of the Zoning Resolution generally is limited to new development and/or signage on a Project Development Site that is constructed pursuant to a Site Development Agreement (defined herein). Except as set forth in the GPP, the GPP does not override the Zoning Resolution with respect to properties within the Project Area that are not identified as Project Development Sites, and all such properties not identified as Project Development Sites remain subject in all respects to the Zoning Resolution and all other applicable regulations.

ESD’s review of development plans for the Project Development Sites for compliance with the GPP and these Design Guidelines shall be in lieu of review by the New York City Department of Buildings (DOB) for compliance with the Zoning Resolution. DOB shall review such development plans for compliance with all other applicable codes including the New York City Building Code, New York City Energy Conservation Code and New York State Multiple Dwelling Law.

**C. Sustainability**

In addition to revitalizing the Project Area with new commercial and mixed-use development, the Project will include improvements to the transit system, public realm and to the Project Development Sites with a focus on sustainability and resiliency that will benefit the local community, the City of New York, and the region.

A robust and resilient rail and mass transit system with transit-oriented development offers a low-carbon alternative to automobile travel and supports sustainable development patterns. As the nation's busiest train station, Penn Station and its rail service are vital to the region. Improvements to rail capacity, service reliability and rider experience at Penn Station are critical to meeting regional carbon reduction goals.

The improvements to the public realm included in the Project will address existing substandard conditions and contribute to a more walkable, pedestrian-oriented environment within the Project Area. The improvements will greatly enhance the accessibility of Penn Station and the three subway stations in the Project Area (including accessibility for persons with mobility-related disabilities).

New development on the Project Development Sites shall be designed, constructed and maintained in accordance with the sustainability requirements set forth in Section 8.

**D. Goals and Objectives of the Design Guidelines**

These Design Guidelines seek to facilitate a mix of uses and building forms that will be constructed in accordance with market demands over the duration of the Project build-out.

Despite its outstanding transit access, the Penn Station area today is characterized by outmoded building stock, a disjointed and uncoordinated public realm, overburdened transit infrastructure, and stagnant development activity. The Project would address these conditions by establishing a cohesive development framework and an integrated approach to the public realm.

Project Development Sites have been identified within the existing system of the City's mapped streets and do not require the amendment of the City Map. Permitted ground floor uses are sufficiently flexible to balance retail space and lobby requirements for office, hotel and residential uses above the ground floor (and transit and railroad uses, where applicable), while supporting the optimal functionality of Penn Station below.

Tower massing requirements are designed to achieve a range of building floorplate sizes with sufficient flexibility to accommodate innovative 21st Century designs, while providing for a varied and dynamic skyline.

Residential use is required on Project Development Site 1A and is permitted on Project Development Sites 1B, 4 and 8.



## E. General Provisions

These Design Guidelines contain text as well as site plans and illustrative diagrams (the “Design Control Diagrams”). The Design Control Diagrams are hereby incorporated in and made part of the Design Guidelines. The information illustrated on the Design Control Diagrams shall be equally binding as the text contained herein.

Certain terms and concepts used in the Design Guidelines are defined in the Zoning Resolution. Unless otherwise stated, such terms shall have the meaning set forth in the Zoning Resolution and are incorporated by reference in the Design Guidelines.

The word "shall" is mandatory and not discretionary. The word "may" is permissive.

## F. Definitions

**Active Ground Floor Use.** Active Ground Floor Uses consist of retail, community facility uses, and uses included in Transit Easements and Other Transit Easements permitted pursuant to Section 3A.

**Additional Public Space.** Additional Public Space are areas that may be required pursuant to Section 4B in order to satisfy minimum Required Public Space requirements.

**Aggregate Building Wall Width.** The Aggregate Building Wall Width of a building is the total width of all walls of a building including building walls that do not face a street.

**Building Height.** Building Height is the distance from curb level to the top of the structural slab above the last occupiable floor of a building. The height of all buildings and signs shall be measured from curb level, as such term is defined in ZR § 12-10.

**Corner Zone.** A Corner Zone is an area measuring 30 feet by 30 feet at the intersection of streets and/or Sidewalk Widening Lines, except as otherwise indicated on the Design Control Diagrams.

**DOT.** DOT is the New York City Department of Transportation.

**Ground Floor.** A Ground Floor is the floor level within five feet of curb level.

**Non-Program Area.** A Non-Program Area is floor space within a building for mechanical equipment, circulation space associated with transit improvements on the ground floor and sublevels including train station entrances, back-of-house areas (e.g., hallways and corridors to the building core), building core space, below-grade storage space, and lobby and loading space on the ground floor and below-grade levels.

**Public Realm.** The Public Realm is understood as the collective backdrop to how a city is understood and experienced. These spaces shape experiences that members of the public share within the built environment. A well-designed Public Realm is one that considers how different elements of the built environment, such as streets, buildings, plazas, and other

shared spaces that may be located at-, below-, and/or above-grade, work together to contribute to a city's livability and the public's comfort and enjoyment.

**Railroads.** The Railroads are the Metropolitan Transportation Authority ("MTA," including New York City Transit, Metro North Railroad, and Long Island Rail Road), Amtrak and New Jersey Transit.

**Required Public Space.** Required Public Space is space that must be provided on a Project Development Site in an amount equal to the percentage of site area indicated on Figure II-3, as set forth in Section 4B.

**Shared Street.** Also known as a "pedestrian-priority" street, a Shared Street is a roadway designed for slow travel speeds where pedestrians, cyclists, and motorists all share the right of way. Shared streets are typically employed on low vehicle volume and/or high pedestrian volume streets. As such, vehicles are advised to drive 5 mph, and the roadway may be flush from building line to building line, or separated by bollards or pedestrian amenities rather than the typical curb line grade separation. Slow speeds are encouraged through traffic calming, signage, and use of distinctive materials, furnishings, plantings, and other visual cues in the roadway that caution drivers. Street users generally negotiate the right-of-way cooperatively rather than relying on traffic controls, allowing the entire street to function effectively as a public space. Shared streets may be designed and managed in a variety of different ways to balance the needs of all users while enhancing the safety, aesthetics, and overall experience of the street. A successful shared street requires infrastructure coordination between property owners and stakeholders.

**Sidewalk Widening Area.** A Sidewalk Widening Area, as shown on the Design Control Diagrams, is a ground-level privately-owned publicly-accessible open area required to be provided on a Project Development Site that serves as a ground-level extension of the public sidewalk. Sidewalk Widening Areas shall be provided in the locations and with at least the minimum depths shown on the Design Control Diagrams.

**Sidewalk Widening Line.** A Sidewalk Widening Line is the delineation between a required Sidewalk Widening Area and the remainder of a property.

**Sign, Accessory.** An Accessory Sign shall have the meaning set forth in ZR § 12-10 (DEFINITIONS).

**Sign, Advertising.** An Advertising Sign shall have the meaning set forth in ZR § 12-10 (DEFINITIONS).

**Site Development Agreement.** A Site Development Agreement is an agreement entered into by ESD and the owner and/or developer of a Project Development Site setting forth the terms and conditions for development on a Project Development Site pursuant to the GPP.

**Total Gross Square Feet.** Total Gross Square Feet or Total GSF, as set forth in Table 2, is the total above- and below-grade floor space of a building, as measured from the outer surface of building walls.

**Transit Easement.** Transit Easements are areas and facilities required to provide access to Penn Station or a New York City Transit subway station, the location and range of dimensions of which are depicted on the Design Control Diagrams.

**Transit Easement, Other.** Other Transit Easements are areas and facilities reserved for transit uses other than public access (including but not limited to Railroad- and transit-related mechanical spaces), the location and range of dimensions of which are depicted on the Design Control Diagrams.

**Transportation Signs.** Transportation Signs are signs located within Transit Easements that identify entrances to Railroad and transit facilities. The size, location, quantity and content of the signs shall be determined in consultation with the Railroads.

## **2. PROJECT COMPONENTS**

### **A. Project Development Sites**

Project Development Sites are identified in Figure II-1 and described by tax block and lot in Table 1. All development on the Project Development Sites pursuant to the GPP is subject to these Design Guidelines.

### **B. Transit Improvements**

Required Transit Improvements at grade are identified in Figure II-2. Further conceptual design information about the Project's required transportation improvements is presented in Exhibit D to the General Project Plan. Transportation entrances shall be clearly identified with Transportation Signs.

Because the required Transit Improvements are yet to be designed, the street-level spaces for these components are indicated as Transit Easements and Other Transit Easements in the Design Control Diagrams. Reflecting the need for future coordination, the dimensions of these areas are shown as a range of potential widths. The final dimensions of such easements, including the width, depth from the property line, and height, shall be determined by ESD in consultation with the Railroads. The design and construction of Penn Station access from subway stations or subway station access from street-level shall be undertaken in consultation with the NYCT.

The Design Guidelines assume that a potential train hall in the base of the building on Project Development Site 2B may be located mid-block on the west side of the building, as depicted on the Design Control Diagrams. As an alternative, the train hall may be located on the east side of

the building facing Seventh Avenue. If a Seventh Avenue train hall configuration is proposed, the base of the building on Project Development Site 2B may be set back from Seventh Avenue to create an appropriate plaza in front of the train hall. The width of the plaza on Project Development Site 2 (described in Section 2C below) will be affected by the final location and configuration of the Project Development Site 2B train hall.<sup>1</sup>

### **C. Proposed Public Realm Improvements**

Public Realm Improvements are identified in Figure II-3. Public Realm Improvements are included in the GPP and contemplated in these Design Guidelines at a conceptual level.

Figure II-3.1 depicts the proposed Public Realm Improvements within the Project Development Sites. See Sections 4 and 5 for more detail regarding these requirements.

Figure II-3.2 depicts the proposed Public Realm Improvements in the public right-of-way. All Public Realm Improvements within City streets are subject to the review and approval of DOT.

### **D. Public Realm Design Considerations**

The following design considerations shall guide the Public Realm Improvements.

#### **i) Plaza 780**

On Project Development Site 2 (Block 780) a public plaza (“Plaza 780”) is required to be provided in the location identified in Figure II-2. The Plaza shall contain a minimum of 30,800 SF. If the train hall is located on the east side of the building, the location of the Plaza would be adjusted but shall not be less than 30,800 SF.

The Plaza shall consist of a prominent space of generous proportions and quality design that is inviting to and accessible to the public, includes a variety of seating and landscaping amenities, and incorporates clear signage identifying spaces as open to the public. To the greatest extent practicable, the Plaza shall: improve pedestrian circulation and provide suitable amenities for the occupants; provide or be surrounded by active uses; be surrounded by active ground floor uses with substantially transparent facades; and to provide connections to pedestrian spaces in the immediate vicinity.

Where an open-air cafe is provided, it shall be a permanently unenclosed restaurant or eating or drinking place, which may have waiter or table service, and shall be open to the sky except that it may have umbrellas, temporary fabric roofs with no vertical supports in conformance with the Building Code, and removable heating lamps. Open air cafes shall occupy an aggregate area not more than 20 percent of the total area of the Plaza.

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<sup>1</sup> These Design Guidelines assume that an expansion of Penn Station to the south will be selected as the preferred alternative for an expansion of the station upon completion of the federal historic and environmental review. However, ESD understands that the Railroads and involved federal agencies may select a different alternative upon completion of those reviews. Accordingly, the provisions of these Design Guidelines relating to Project Development Sites 1, 2 and 3 shall be effective only in the event those sites are selected for the Penn Station expansion.

Events shall be permitted within the Plaza provided that they are open to the public and not ticketed.

To ensure a safe and comfortable environment for all Plaza users, ESD may establish rules of conduct for the use of the Plaza. A maximum of one prohibition or “Rule of Conduct” sign may be located at each entrance to the Plaza. Such sign shall not prohibit behaviors that are consistent with the normal public use of the Plaza such as lingering, eating, drinking of non-alcoholic beverages or gathering in small groups. Plaza 780 should be available for the use by the public 24 hours/day, subject to limited closures as deemed necessary.

**ii) Shared Streets**

Potential locations of Shared Streets are shown Figure II-3. ESD has proposed Shared Streets on West 33rd Street and West 32nd Street as indicated on Figure II-3. At the request of the Community Advisory Committee Working Group, ESD has recommended that DOT study the potential implementation of the Shared Street segment on West 31st Street depicted in Figure II-3.

**iii) Additional Design Criteria**

- a. Security Infrastructure: Current best practices for security infrastructure in public spaces shall be adhered to, including the use of bollards where appropriate. An area-wide approach should be taken in the design of security infrastructure in terms of aesthetic consistency of design elements in order to minimize negative impacts on the pedestrian experience.
- b. Ventilation and Mechanical Infrastructure: Ventilation and other related mechanical infrastructure shall be well-integrated into building architecture and organized in such a way as to minimize negative impacts on open spaces and the Public Realm. For example, when such elements are located adjacent to public open spaces, they should be separate, screened, or located above a height of 20 feet.

### **3. PROJECT PROGRAM**

#### **A. Permitted Uses**

Permitted uses shall include:

- Offices

- Retail or service establishments

- Transient hotels

- Commercial uses allowed in a C6-6 District as set forth in ZR § 32-10

- Community facilities without sleeping accommodations

- Residences and supportive housing units

- Railroad passenger stations and entrances (including ancillary support functions)

- Subway stations and entrances

#### **B. Program Density and Uses**

The maximum permitted Program Area by use, and the maximum total building Gross Square Feet (GSF), for each Project Development Site are shown in Table 2.

Project Development Site 1A is required to have residential and community facility uses as set forth in Table 2. The total number of dwelling units that may be developed on Project Development Sites 1A, 1B, 4 and 8 may not exceed 1,798 units.

Table 2: Permitted Density by Use

Site and Development Scenario	Total GSF <sup>1</sup>	Total Commercial GSF (Office, Retail & Hotel) <sup>1</sup>	Office GSF	Retail GSF <sup>2</sup>	Hotel (Rooms)	Dwelling Units (# Permanently Affordable)	Parking Spaces <sup>3</sup>	Community Facility GSF	Non-Program Area GSF <sup>4</sup>
Site 1A <sup>5</sup>	487,955	6,000	0	6,000	0	542 (271) <sup>6</sup>	0	18,398 <sup>6</sup>	48,796
Site 1B (Commercial Scenario) <sup>5</sup>	731,911	592,848	584,348	8,500	0	0	0	0	139,063
Site 1B (Residential/Commercial Scenario) <sup>5</sup>	708,676	254,078	245,578	8,500	0	439 (132) <sup>7</sup>	0	0	99,098
Site 2A	2,495,471	2,021,331	2,004,579	16,752	0	0	0	0	474,139
Site 2B	2,867,235	2,322,461	2,303,213	19,248	0	0	0	0	544,775
Site 3	1,612,820	1,306,384	1,294,384	12,000	0	0	0	0	306,436
Site 4 (Residential/Office Scenario) <sup>8</sup>	1,100,000	389,160	289,160	100,000	0	630 (189) <sup>8</sup>	100	0	209,000
Site 4 (Residential/Hotel Scenario) <sup>8</sup>	1,100,000	406,660	0	100,000	472 <sup>8</sup>	630 (189) <sup>8</sup>	100	0	209,000
Site 5	1,739,510	1,409,003	1,289,003	120,000	0	0	0	0	330,507
Site 6	2,079,849	1,659,678	1,539,344	120,334	0	0	100	0	395,171
Site 7	2,600,000	2,081,000	1,879,000	202,000	0	0	100	0	494,000
Site 8 (Commercial Scenario)	2,600,000	2,081,000	1,875,000	206,000	0	0	100	0	494,000
Site 8 (Residential/Commercial Scenario) <sup>9</sup>	1,650,411	885,004	667,004	218,000	0	626 (188)	100	0	284,053
<b>Total (Max Commercial Scenario)</b>	<b>18,314,751</b>	<b>13,886,365</b>	<b>13,058,031</b>	<b>810,834</b>	<b>472<sup>8</sup></b>	<b>1,172 (460)</b>	<b>400</b>	<b>18,398</b>	<b>3,435,887</b>
<b>Total (Max Residential Scenario)</b>	<b>17,365,162</b>	<b>12,672,869</b>	<b>11,560,875</b>	<b>822,834</b>	<b>472<sup>8</sup></b>	<b>1,798 (648)</b>	<b>400</b>	<b>18,398</b>	<b>3,225,939</b>

## Table Notes:

- 1) Total GSF includes residential, retail, office, hotel, parking and non-program areas, but does not include the potential expanded train station and its new service building on Project Development Sites 1, 2 and 3. The maximum GSF or total commercial GSF of new development cannot be calculated by summing the maximum GSF for the individual program uses because maximizing the area of certain uses would require reducing the area of other uses.
- 2) The indicated square footage for retail uses may include physical culture or health establishments (gyms), and community facilities without sleeping accommodations.
- 3) Parking is permitted but not required.



- 4) Non-program area includes floor space within a building for mechanical equipment, circulation space associated with transit improvements on the ground floor and the sublevels including train station entrances, back-of-house areas (e.g., hallways and corridors to the building core), building core space, below-grade storage space, and lobby and loading space on the ground floor and below-grade levels. Non-program area shall not be considered in the GSF of program uses. The non-program area for an individual building may be increased by not more than fifteen percent or such other increase as ESD determines is needed to meet the sustainability requirements of the Design Guidelines; an increase in non-program area for an individual building beyond that assumed in the "Non-Program Area GSF" column for that building shall not be considered towards the "Total GSF" limit for the building. However, the Total GSF for the Project as a whole shall not exceed 18,314,751 GSF.
- 5) Sites 1A and 1B shall be considered a single lot for purposes of Chapter 6, Section 3 of the New York State Multiple Dwelling Law.
- 6) On Site 1A, thirty percent of the total number of residential units shall be permanently affordable and twenty percent of the total number of residential units shall be permanently affordable supportive housing units. Site 1A shall include approximately 18,398 GSF of community facility space.
- 7) The development on Site 1B may include more than 439 dwelling units with an off-setting reduction in commercial space on a square footage basis. Thirty percent of all dwelling units on Site 1B shall be permanently affordable. The Project (all buildings) may not exceed 1,798 dwelling units.
- 8) For Site 4, the development may include more than 472 hotel rooms and more than 630 dwelling units, but the commercial uses shall not exceed 406,660 GSF and the sum of residential and commercial uses shall not exceed 891,000 GSF. Thirty percent of all dwelling units on Site 4 shall be permanently affordable. The Project (all buildings) may not exceed 1,798 dwelling units.
- 9) Under the Residential/Commercial Scenario for Site 8, the existing Manhattan Mall building would remain on Site 8 and a new building expansion containing residential uses would be constructed above it. Therefore, the program shown in the table for Site 8 includes approximately 885,000 gsf of commercial use (office and retail) associated with the existing Manhattan Mall building, and 481,354 gsf of residential use and parking to be constructed as part of the Residential/Commercial Scenario.

### C. Affordable and Supportive Housing

A minimum of 30 percent of the residential dwelling units on each Project Development Site improved with residential units shall be provided as permanently affordable units. All required affordable dwelling units shall be provided on-site.

On Project Development Site 1A, 30 percent of the total number of residential dwelling units shall be permanently affordable and an additional 20 percent of the total number of residential dwelling units shall be permanently affordable supportive housing units.

### D. Pedestrian Skybridge

The potential pedestrian skybridge that would connect across West 33rd Street from the second-floor levels of 1 Penn Plaza and 2 Penn Plaza shall be subject to City approval. Accordingly, no such facility shall be constructed in the Project Area without the City's consent. If approved, the skybridge shall be an approximately 15 feet wide enclosed, single-level transparent structure to be constructed of steel and glass. Its minimum and maximum clearances above Plaza 33 shall be approximately 14.5 feet and 20 feet, respectively, with a maximum interior floor to ceiling height of 18 feet.

**E. Gimbel Brothers Skybridge**

Any alteration or demolition of the Gimbel Brothers Skybridge connected to Project Development Site 8 shall be in conformance with the letter of resolution with the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) dated June 21, 2022.

## **4. BUILDING BULK & MASSING**

### **A. Sidewalk Widening Areas**

In order to increase the circulation capacity of certain public sidewalks, Sidewalk Widening Areas shall be provided at ground level adjacent to public sidewalks where shown on the Design Control Diagrams. The minimum depth of a Sidewalk Widening Area shall be as indicated on the Design Control Diagrams and shall be measured perpendicular to the property line. All Sidewalk Widening Areas shall be improved as sidewalks in accordance with DOT standards, located at the same level as the adjoining public sidewalks, and accessible to the public at all times.

A Sidewalk Widening Area shall be unobstructed from its lowest level to the sky except for elements of weather protection, such as awnings or canopies, provided that they are supported only by the building facade to which they are attached, and the total area of such elements, measured in plan view, does not exceed 35 percent of the Sidewalk Widening Area. All such elements and any attachments thereto shall be located at least 14 feet above curb level. Street trees shall not be permitted within Sidewalk Widening Areas. Driveways accessing permitted parking or loading facilities may traverse a Sidewalk Widening Area where curb cuts are otherwise permitted, provided that there is no change of grade between such driveway and the adjacent portions of the Sidewalk Widening Area. Notwithstanding the foregoing, on Project Development Site 5 a building may extend up to ten feet into the Sidewalk Widening Area along Seventh Avenue, provided that such building portion shall be located a minimum of 50 feet above curb level.

## **B. Required Public Space**

Each Project Development Site shall provide a minimum amount of Required Public Space, the design of which shall be subject to ESD review and approval. The formula for determining the Required Public Space is as follows:

$$\text{Required Public Space (\%)} = \frac{\text{Sidewalk Widening Area} + 150\% \text{ of Transit Easement Area} + \text{Additional Public Space}}{\text{Area of Project Development Site}}$$

Where the combined area of Sidewalk Widening Areas and 150 percent of the area of Transit Easements is less than the minimum percentage of Required Public Space set forth for a Project Development Site on Figure II-3, the shortfall in square footage shall be provided as Additional Public Space. Where Additional Public Space is required, it may consist of additional Sidewalk Widening Area for improved pedestrian circulation beyond what is required by the Design Control Diagrams, landscaped area, or other on-site public space for active and/or passive use. To the extent feasible and practicable, such Additional Public Space should be:

- organized at corners of a Project Development Site;
- concentrated along Seventh Avenue; and/or
- arranged along the mid-block of Project Development Sites 2, 7, and 8 in a manner that provides through-block pedestrian connections.

## **C. Building Envelope**

Permitted building envelopes on Project Development Sites shall be defined as follows.

### **i) Maximum Base Height**

Maximum base heights are shown in Figure II-4.1.

### **ii) Required Tower Setbacks**

For purposes of this Section, the portion of a building located above the maximum base height shall be a tower. Towers shall set back above the maximum base height. Setback depths are indicated on the Design Control Diagrams for each Project Development Site.

The depth of all required tower setbacks shall be measured from the property line and include the width of a Sidewalk Widening Area or other ground level setback of the building base, as applicable.

### **iii) Permitted Obstructions**

Permitted obstructions above the maximum base height shall be within the depth of a required tower setback and shall be limited to the following:

- a. Awnings and other sun control devices with solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the building wall (as viewed in elevation) from which they project. When located on the first story above a setback, awnings and other sun control devices shall be limited to a projection equal to 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the building wall from which they project;

- b. Decks, not more than 3 feet, 6 inches in height, as measured from the maximum base height;
- c. Parapet walls, not more than four feet in height, as measured from the maximum base height;
- d. Vegetated roofs, not more than 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum base height;
- e. Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum base height;
- f. Window washing equipment mounted on a roof; and
- g. Wire, chain link or other transparent fences

**iv) Tower Coverage Controls**

To encourage varied tower forms, all buildings shall be subject to a maximum tower coverage. At an elevation that is equal to 75 percent of the Building Height, the coverage of a tower may not exceed 60, 65 or 70 percent of the area of the Project Development Site, as specified for each site in the Design Control Diagrams. The maximum coverage specified shall be calculated based on the area of the Project Development Site (including the area of a Sidewalk Widening Area), with the following exceptions:

- a. Project Development Sites 1A and 1B shall be treated as separate Project Development Sites for purposes of calculating permitted tower coverage.
- b. Project Development Sites 2A and 2B shall be treated as separate Project Development Sites for purposes of calculating permitted tower coverage. The area of a plaza shall not be included in such tower coverage calculations.

**v) Maximum Building Height**

There shall be no maximum Building Height on any Project Development Site, with the exception of Project Development Site 1A, as set forth below and as indicated on the Design Control Diagrams. For Project Development Sites not subject to a maximum height limit, all rooftop mechanical equipment shall be screened on all sides. Buildings with a Building Height of 800 feet or more shall incorporate a tower top design that is well-integrated with the remainder of the building and constitutes a distinctive addition to the Manhattan skyline.

Any building developed on Project Development Site 1A shall be subject to a maximum Building Height of 350 feet. Obstructions permitted to exceed the maximum Building Height shall include those items listed in ZR § 33-42, paragraphs (d), (e), (f), (h), (j), (m), (n), (o), (p), (q), (s) and (t). All mechanical equipment shall be screened on all sides.

Mechanical stories with excessive heights are prohibited at all Project Development Sites.

**vi) Minimum Separation for Buildings Containing Residential Use on Project Development Sites 1A and 1B:**

For portions of buildings on Project Development Site 1A containing residential dwelling units, a minimum separation of 30 feet shall be provided from such building portion and any building on Project Development Site 1B, except where a greater separation is required pursuant to applicable law other than the Zoning Resolution.

## 5. GROUND FLOOR REGULATIONS

### A. Active Ground Floor Use

A minimum of 40 percent of the Aggregate Building Wall Width of a building shall contain Active Ground Floor Use.

### B. Corner Zone Use Requirement

Any Ground Floor building frontage within a Corner Zone shall contain retail use.

### C. Maximum Establishment Width

On narrow streets, as defined in ZR § 12-10, within 15 feet of the street wall of a building, the width of a ground floor retail establishment may not exceed 50 feet.

### D. Permitted Lobbies

Maximum permitted lobby widths indicated on the Ground Floor Controls diagrams are subject to compliance with Active Ground Floor Use requirements. The aggregate lobby width for a building shall not exceed 160 feet. No building may have more than four lobbies. The ground floor control diagrams indicate widths of the 3 primary lobbies; if a fourth lobby is added, that lobby shall be no more than 30' wide.

To enhance pedestrian connections, wherever possible and practicable, lobbies should include the following features:

- a through-block connection to a lobby on the opposite frontage with a width of at least 40 feet;

- a direct internal connection to a transit entrance or a pedestrian concourse; or
- an interior connection to Active Ground Floor Use establishments.

**E. Transparency**

No less than 80 percent of a building's frontage shall be glazed in accordance with the following transparency provisions:

Transparent materials shall occupy at least 50 percent of the surface area of the Ground Floor street wall between a height of two feet and 12 feet, or the height of the Ground Floor ceiling, whichever is higher, as measured from the adjoining sidewalk. Transparent materials provided to satisfy such 50 percent requirement shall not begin higher than 2 feet, 6 inches above the level of the adjoining sidewalk, with the exception of transom windows, or portions of windows separated by mullions or other structural dividers, and shall have a minimum width of two feet. Because Transit Easement elevations will be designed by the Railroads, portions of street frontages occupied by Transit Easements shall not be subject to these transparency requirements. The maximum width of a portion of the Ground Floor level street wall without transparency shall be 20 feet. On Project Development Site 7, the maximum width of a portion of the Ground Floor level street wall without transparency shall be 24 feet.



## **6. OFF-STREET PARKING & LOADING**

### **A. Permitted Parking**

Off-street parking spaces are not required on the Project Development Sites; however, parking garages with a capacity of not more than 100 spaces shall be permitted on Project Development Sites 4, 6, 7 and 8.

### **B. Off-Street Loading**

Accessory off-street loading facilities shall be provided in accordance with the provisions of ZR §§ 36-00 and 13-00 applicable to C6-6 Districts.

Head-in, head-out loading configurations are required to the extent practicable so as to minimize the total width of loading access from the street.

### **C. Curb Cuts**

Curb cuts that provide access to off-street parking or loading facilities are permitted only in designated Curb Cut Zones as shown on the Design Control Diagrams.

### **D. Bicycle Parking**

For all buildings, enclosed accessory bicycle parking spaces shall be provided as set forth below. For purposes of calculating the number of required bicycle parking spaces, any fraction of a space 50 percent or greater shall be counted as an additional space.

For office use, one space shall be provided for every 5,000 square feet of above-grade floor space, exclusive of Non-Program Area. For all other commercial uses, except hotels, one space shall be provided for every 7,000 square feet of above-grade floor space, exclusive of Non-Program Area.

For residential use, bicycle parking spaces shall be provided at a rate of 0.75 spaces for each dwelling unit.

Required accessory bicycle parking shall be provided in enclosed bicycle rooms in accordance with the provisions of ZR § 36-73, except that a bicycle storage room shall be sized so as to provide a minimum of 7 square feet times the number of bicycles to be stored and all self-service bicycle rooms shall be located on the ground floor. Where it is impracticable in light of Active Ground Floor Use requirements to provide a self-service bicycle room on the ground floor, such rooms may be located on the first cellar level or on the second floor. Access shall be provided either by a direct elevator or ramp. In no case may access be provided through an area intended for access to loading areas.

Where a bicycle check or valet service is available that allows for drop-off and retrieval from an area with direct access from the street, bicycle storage rooms may be located at any level in a building, subject to approval by ESD, which may impose conditions to ensure functionality and convenience for bicyclists.

## **7. SIGNS**

The sign regulations for the Penn Center Subdistrict of the Special Midtown District (as set forth in ZR § 81-52) shall not apply. In lieu thereof, the regulations of this Section shall apply.

### **A. Transportation Signage**

Within each Transit Easement, there shall be an area dedicated exclusively to Transportation Signage ("Transportation Signage Area"). The heights of Transportation Signage Areas at train station entrances are indicated on the Ground Floor Control figures. The height of Transportation Signage Areas at subway station entrances shall be a minimum of 14 feet above the adjacent sidewalk.

Transportation Signage Areas shall contain Transportation Signs, the design of which shall be within the discretion of the Railroads. Advertising and Accessory Signs are prohibited in Transportation Signage Areas and within 10 feet horizontally and vertically of the Transportation Signage Area.

### **B. Accessory Signs**

On all Project Development Sites, Accessory Signs (illuminated and non-illuminated) with total surface areas not exceeding five times the Aggregate Street Wall Width of a building and not exceeding a height of 40 feet above curb level shall be permitted. Tower top signage is prohibited on all Project Development Sites. Transportation Signage is not subject to regulations for Accessory Signs.

### **C. Advertising Signs**

Advertising Signs are permitted on building walls with frontage on Seventh and Eighth Avenues, as illustrated in Figure II-X. Tower top signage is prohibited on all Project Development Sites. The size, configuration and operation of such Advertising Signs, and the associated fees for such Advertising Signs shall be as set forth in the Site Development Agreement.

#### **i) Permitted Location of Advertising Signs, In Plan View**

Figure II-5 indicates the permitted locations for Advertising Signs at Project Development Sites.

#### **ii) Permitted Location of Advertising Signs, In Elevation View**

Advertising signs shall be permitted from a height of 14 feet above grade to a height of 60 feet above grade, except where there is Transportation Signage in the band above 14 feet. Along wide streets, as defined in ZR § 12-10, Advertising Signs shall be permitted to a height of 100 feet within 40 feet of the intersection of streets and/or Sidewalk Widening Lines. The location and configuration of all such signs shall be as provided in the Site Development Agreement.

#### **iii) Design Requirements for Advertising Signs**

Advertising Signs should enhance the Public Realm by helping to define a sense of place. Accordingly, the following regulations shall apply to all Advertising Signs:

- a. Signs shall be attached to a building; free-standing signs are prohibited.
- b. Signs shall be designed to be compatible with their surroundings and shall be appropriate to the architectural character of the building on which they are located.
- c. Continuous signage comprised of multiple elements, screens, words, logos or individual characters is permitted.

#### **iv) Operational Standards for Digital Advertising Signs**

- a. In order to harness the placemaking capability of digital Advertising Signs, all such signs shall be network-capable in order to permit the broadcasting of emergency messages and scheduled public service announcements (PSA). In addition, ESD may provide visual arts content to be integrated into the PSA program.
- b. The hours of sign operation are unrestricted.
- c. The maximum daytime brightness for all signage shall be 5,000 candles per square meter. The maximum nighttime brightness for all signage shall be 200 candles per square meter.
- d. Signs shall have a light sensitive control system that accounts for reductions in daytime sky luminance caused by clouds or storms and automatically reduces sign luminance proportionally.
- e. Illuminance from any signs or architectural lighting shall not exceed 25 foot-candles as measured from the residential portion of a building located on any adjacent lot

containing residential use or the residential portion of a building on a lot located across a street from such sign or lighting.

- f. For visual comfort and contrast control, stroboscopic or flashing images that rapidly change direction, flash, oscillate or reverse in contrast shall be prohibited.
- g. No sign shall use colors or images that replicate, or could be confused with, Transportation Signage or traffic safety signage.
- h. On-site sound is prohibited.
- i. Any temporary failure or malfunction of any component of a display system that results in display segments that appear excessively bright or flash or scintillate shall result in the conversion of the display to an “off” or all dark configuration, until such time as the malfunction is corrected.

## 8. SUSTAINABILITY

New York State and New York City have enacted some of the most forward-thinking carbon reduction laws in the nation, which are expected to evolve over the course of the GPP's phased, site-by site buildout. It is ESD's goal that at completion of the Project build-out, the buildings on the Project Development Sites will be among the most energy efficient in New York City, making the Project Area a leader in state-of-the-art energy efficiency and carbon reduction. The scale of the Project provides a robust marketplace to develop the innovations needed to address climate change with positive impacts far beyond the boundaries of the GPP.

### A. Enhanced Performance Requirements

The Project Development Sites shall be constructed in accordance with applicable carbon and green house gas ("GHG") reduction laws in effect at the time of construction and, in addition, are subject to the enhanced performance requirements set forth below.

#### i) LEED Gold "Plus"

All buildings shall be constructed in accordance with the standards and criteria required to obtain a LEED Gold "Plus" score of 70 points (10 points above standard LEED Gold as set forth in LEED v4.1). Buildings shall utilize the version of the LEED scoring system in effect at the time of design. ESD may update or modify the requirements below or replace the LEED certification standard with an equivalent green certification standard.

#### ii) Mandatory LEED category requirements:

The following optional LEED requirements shall be incorporated in all new buildings:

- a. Embodied carbon analysis and optimization
- b. Enhanced MEP systems and envelope commissioning
- c. Advanced energy metering
- d. Enhanced refrigerant management
- e. Heat island effect mitigation

**iii) Additional Requirements**

- a. Buildings shall utilize all-electric building systems and appliances with the exception of emergency generation.
- b. Stormwater management shall utilize multiple strategies, which may include grey water collection and treatment for re-use in the irrigation of landscaped areas
- c. Developers of Project Development Sites shall work with the Railroads to identify potential opportunities for synergies between mechanical systems for Penn Station and the buildings to be developed on Project Development Sites, including cogeneration and energy demand response and harmonization.

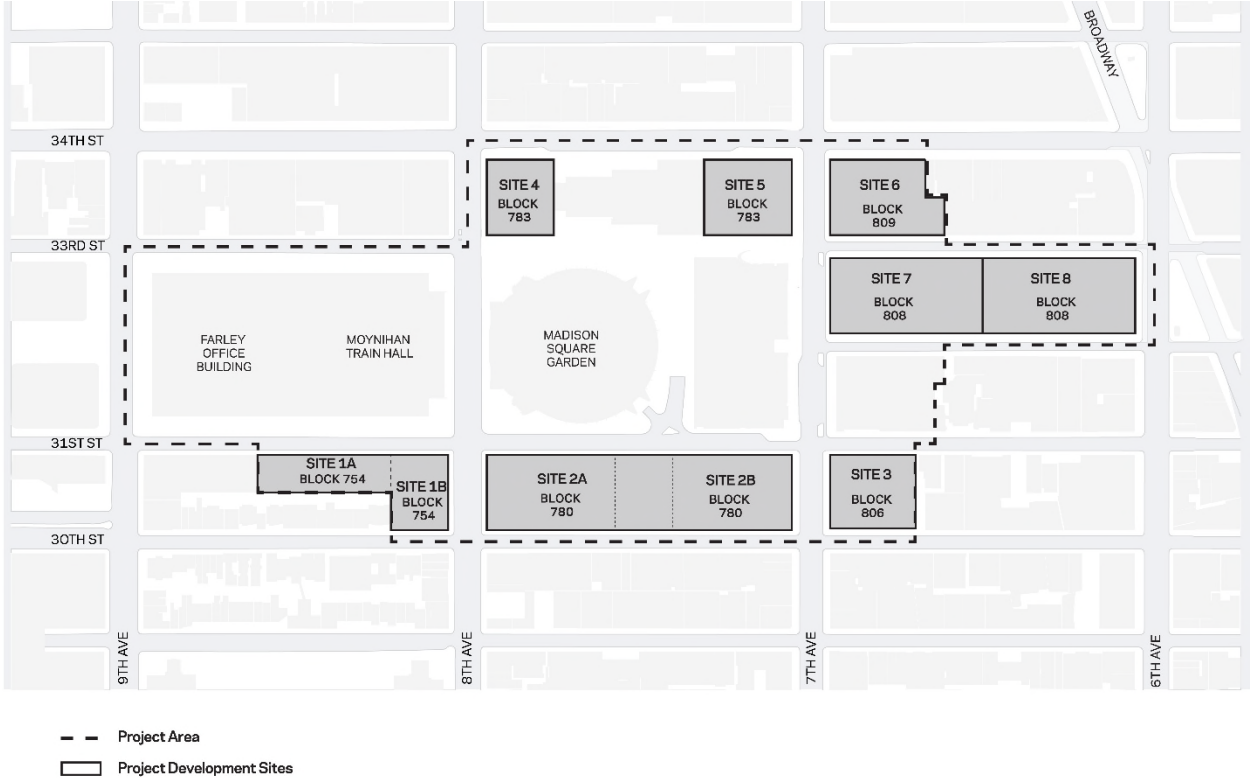
**B. Freight and Loading**

A successful freight management plan requires coordination between adjacent property owners and stakeholders. Area-wide urban freight management measures shall be employed to the extent feasible and practicable in order to minimize loading activity and reduce truck traffic and idling within the area, which may include the optimization of freight management through trip consolidation and coordinated scheduling of deliveries.

## **9. PROJECT AREA FIGURES**

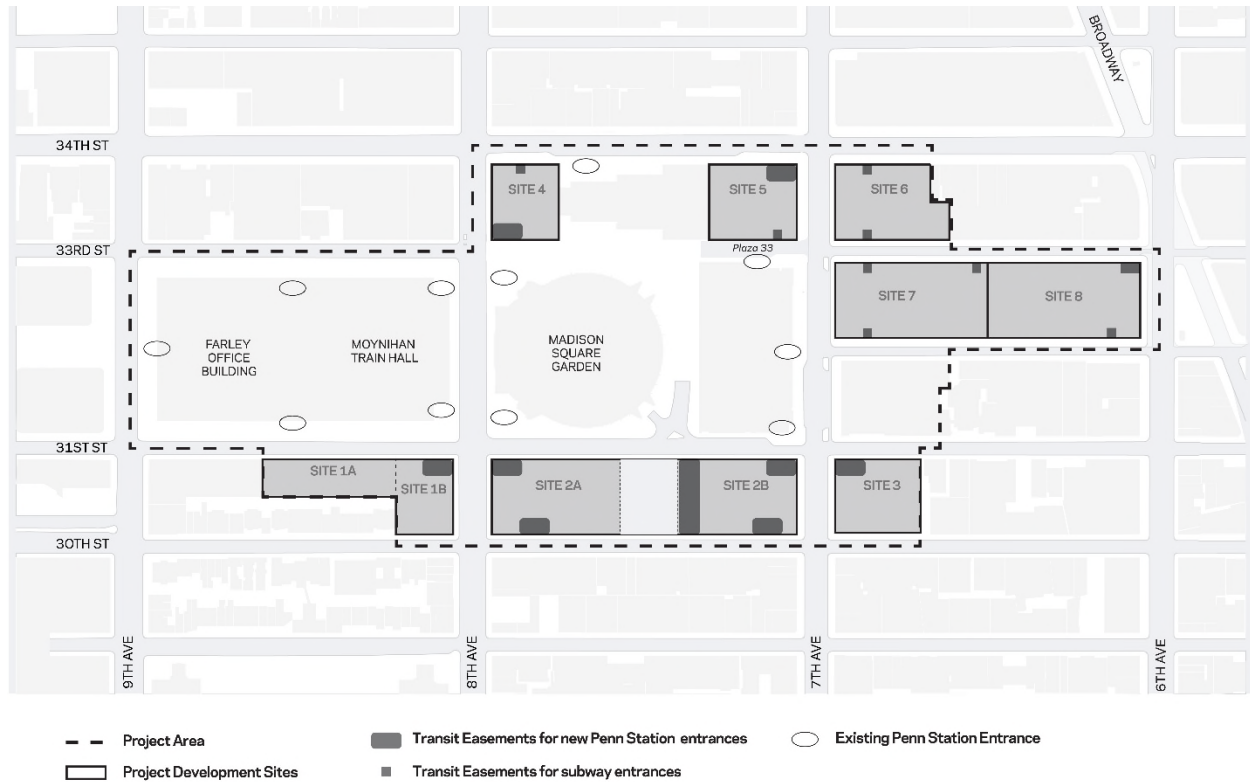


Project Area and Project Development Sites



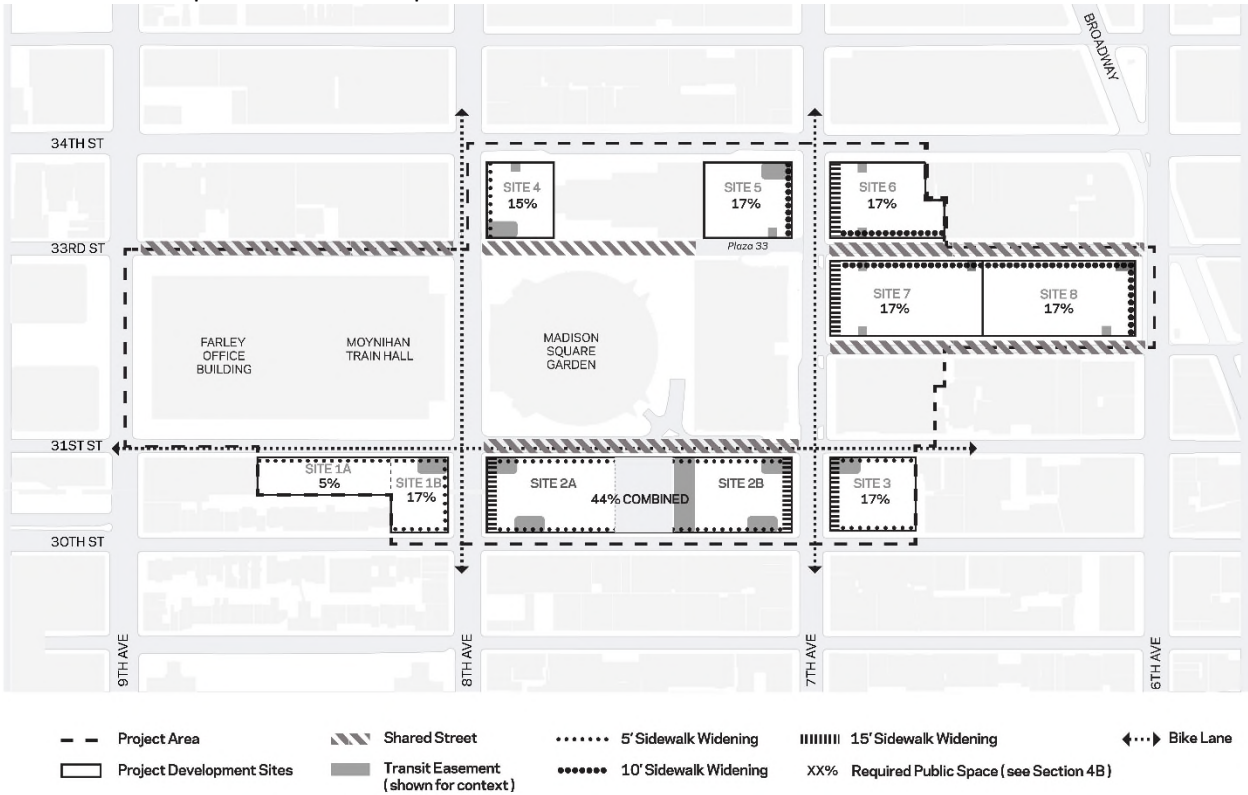
**Figure II-1** Project Area and Project Development Sites

## Tranist Easements



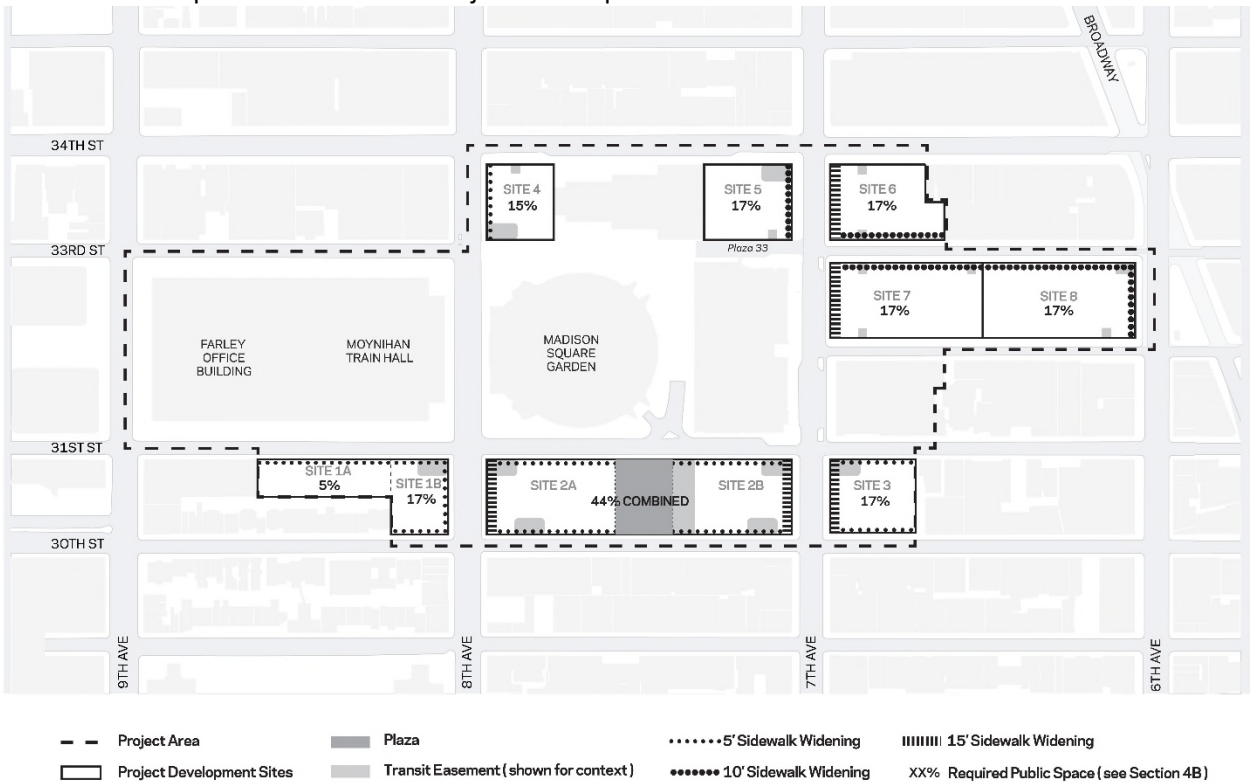
**Figure II-2** Transit Easements

Public Realm Improvements - Composite Plan



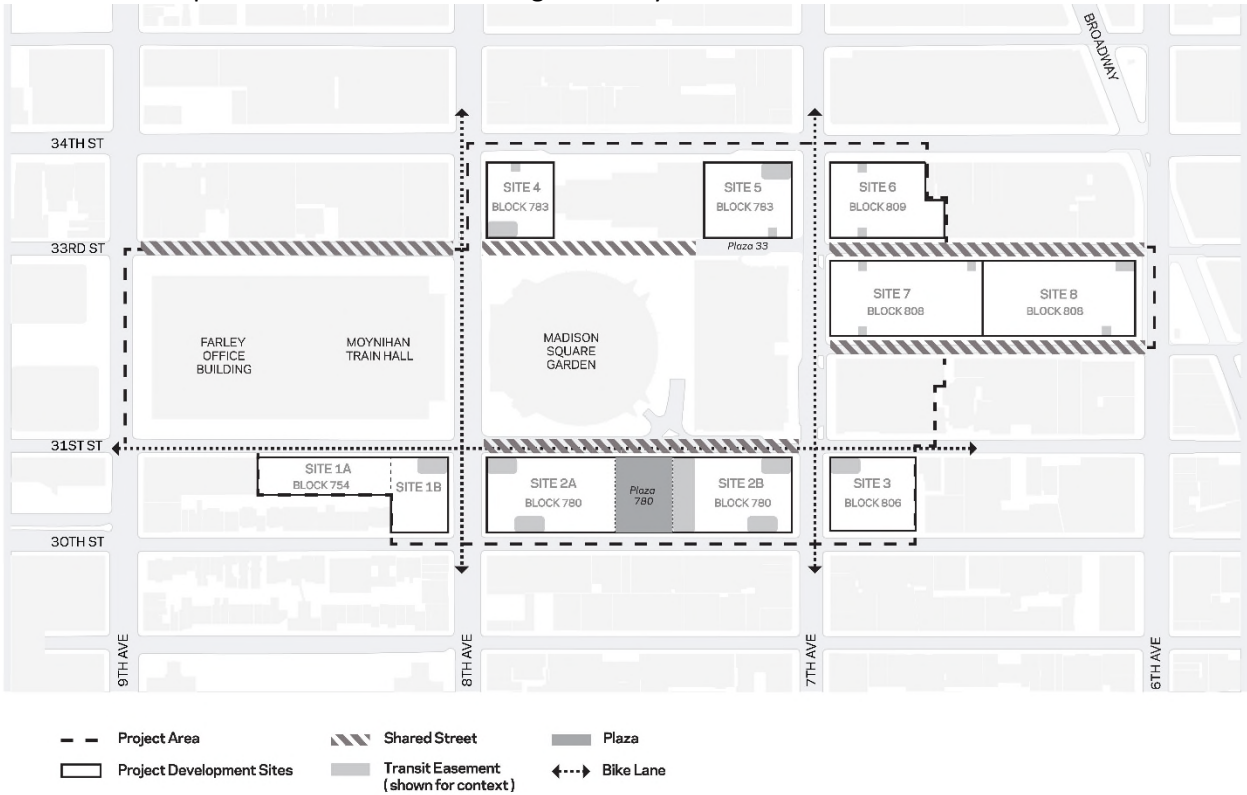
**Figure II-3** Public Realm Improvements - Composite Plan

Public Realm Improvements Within Project Development Sites



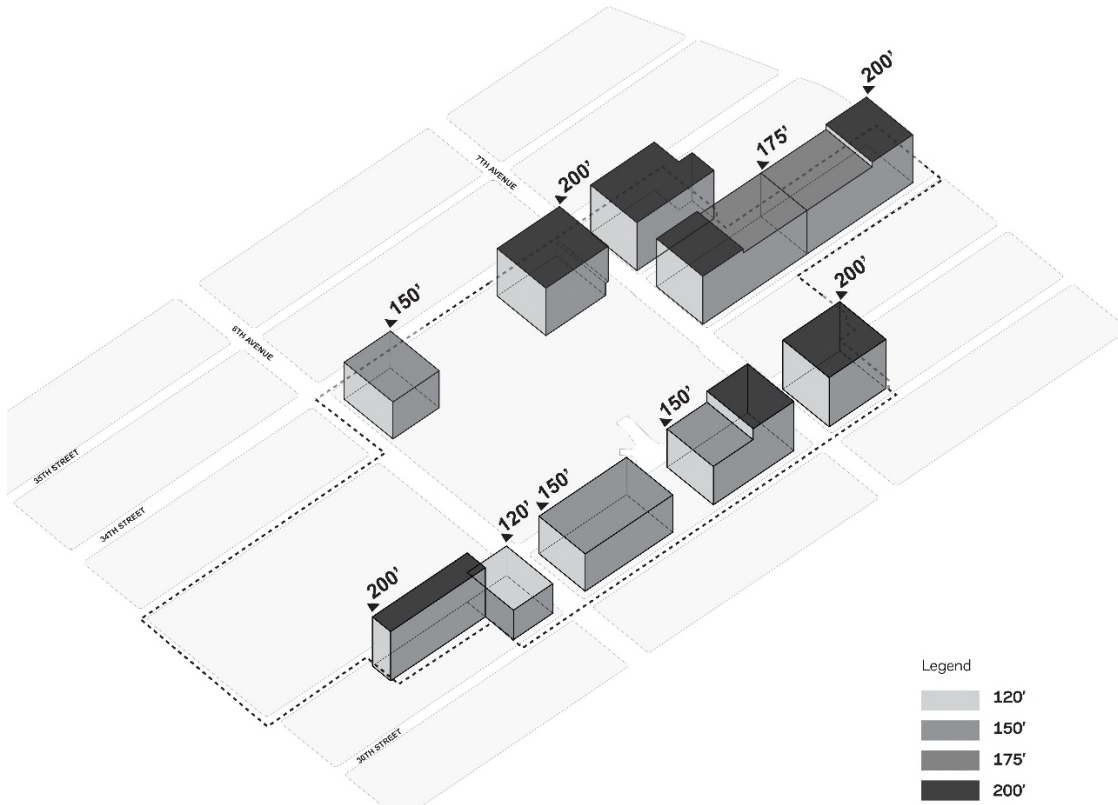
**Figure II-3.1** Public Realm Improvements Within Project Development Sites

Public Realm Improvements Within Public Right-of-Way



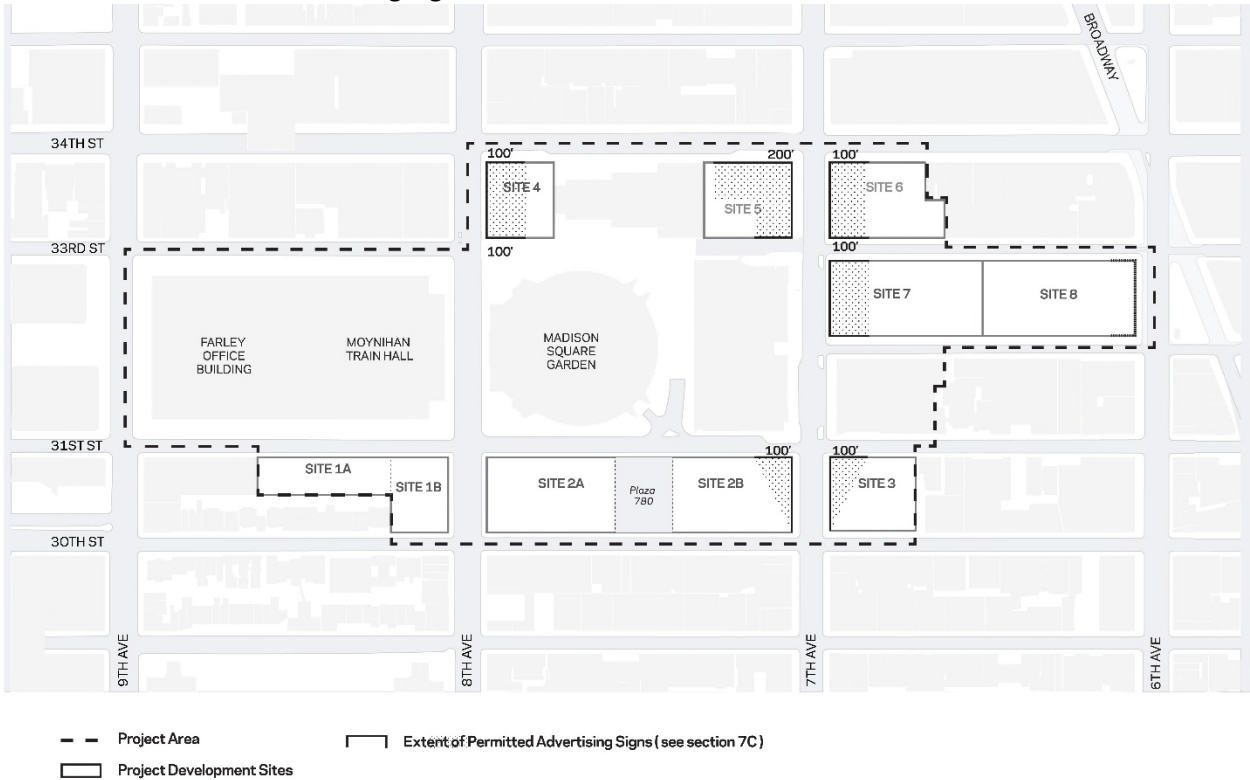
**Figure II-3.2** Public Realm Improvements Within Public Right-of-Way

Maximum Base Heights



**Figure II-4** Maximum Base Heights

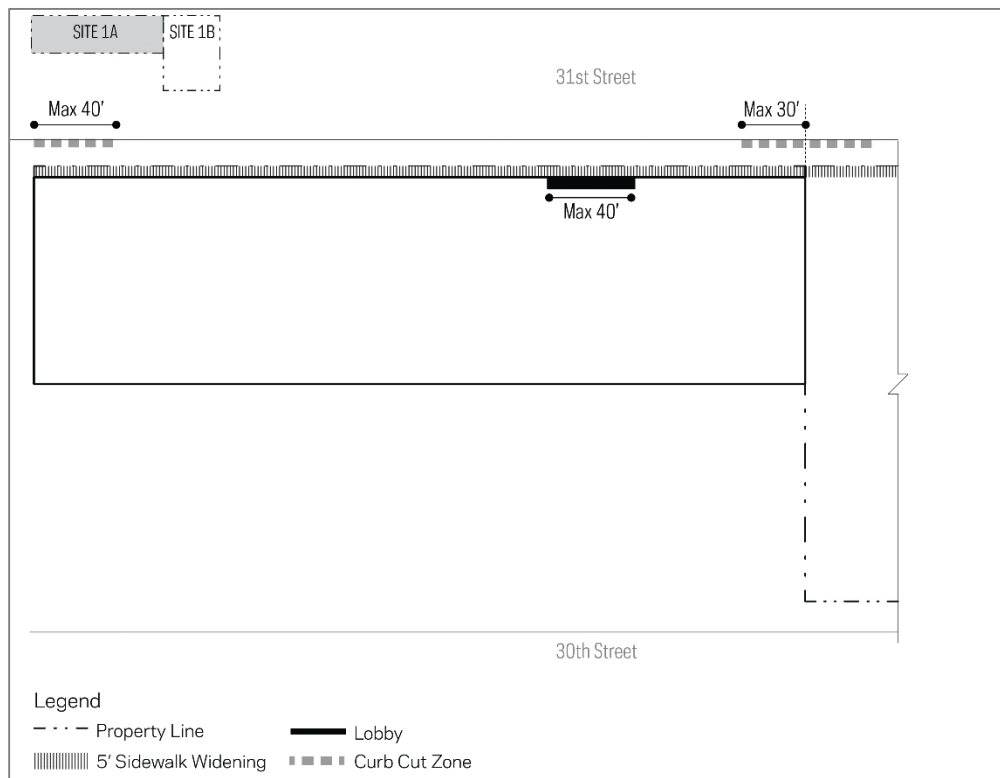
Location of Permitted Advertising Signs



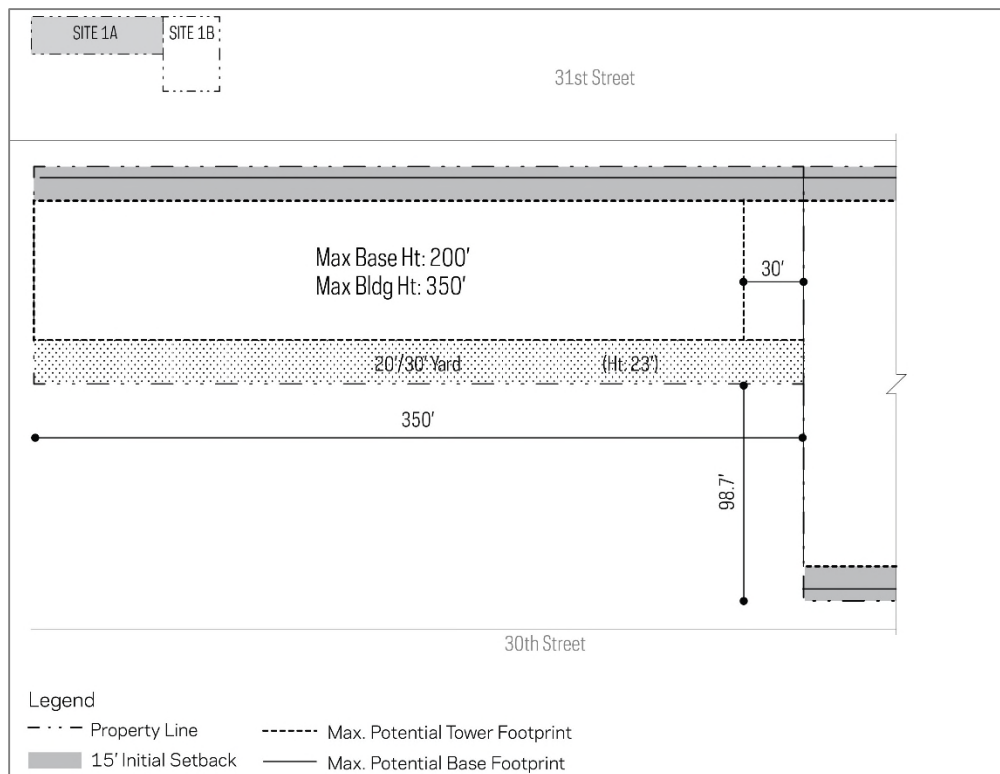
**Figure II-5** Location of Permitted Advertising Signs

## **10. PROJECT DEVELOPMENT SITE FIGURES**

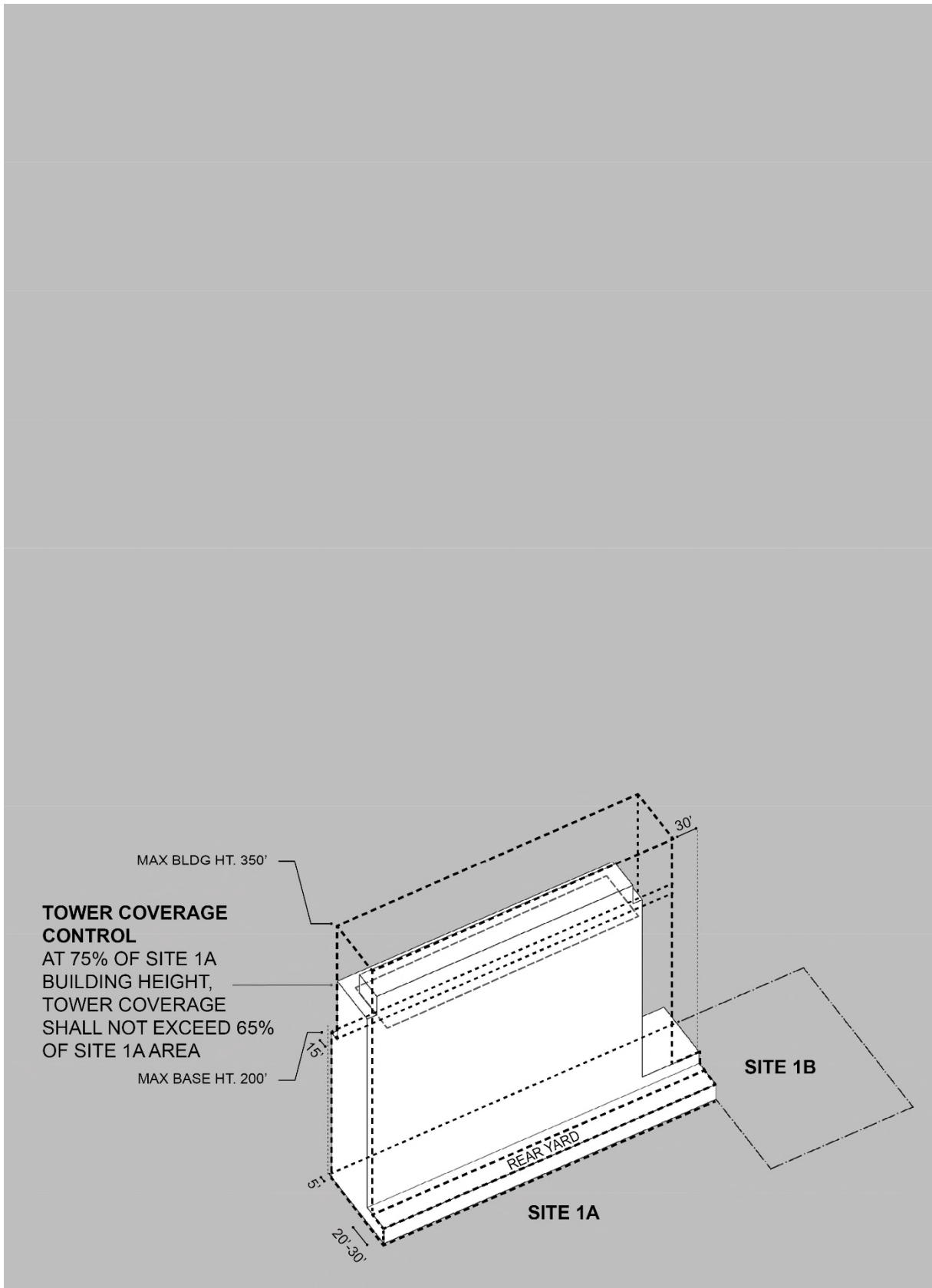




**Figure IV-1.1** Site 1A Ground Floor Control Diagram

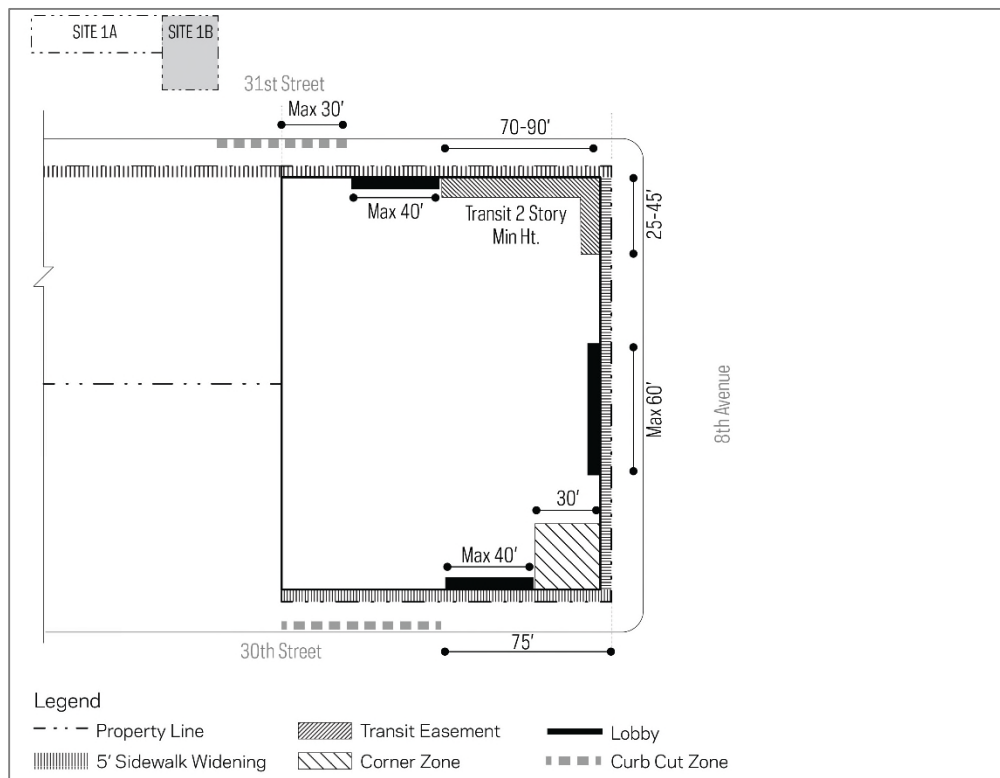


**Figure IV-1.2** Site 1A Tower Control Diagram

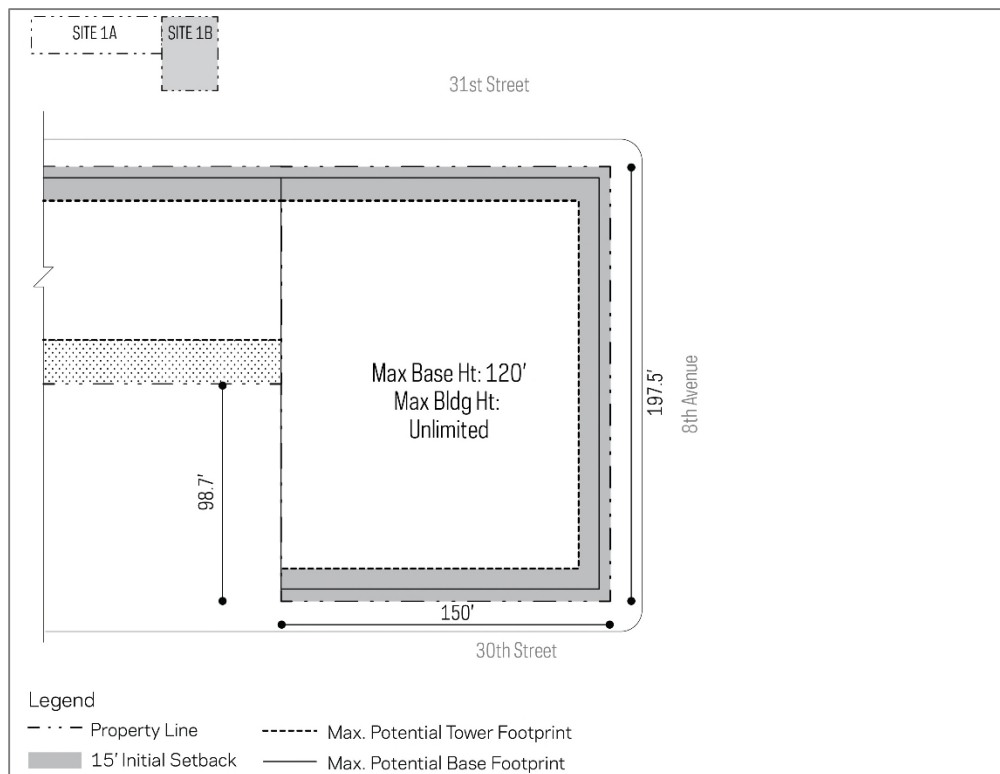


**Figure IV-1.3** Site 1A Massing Controls

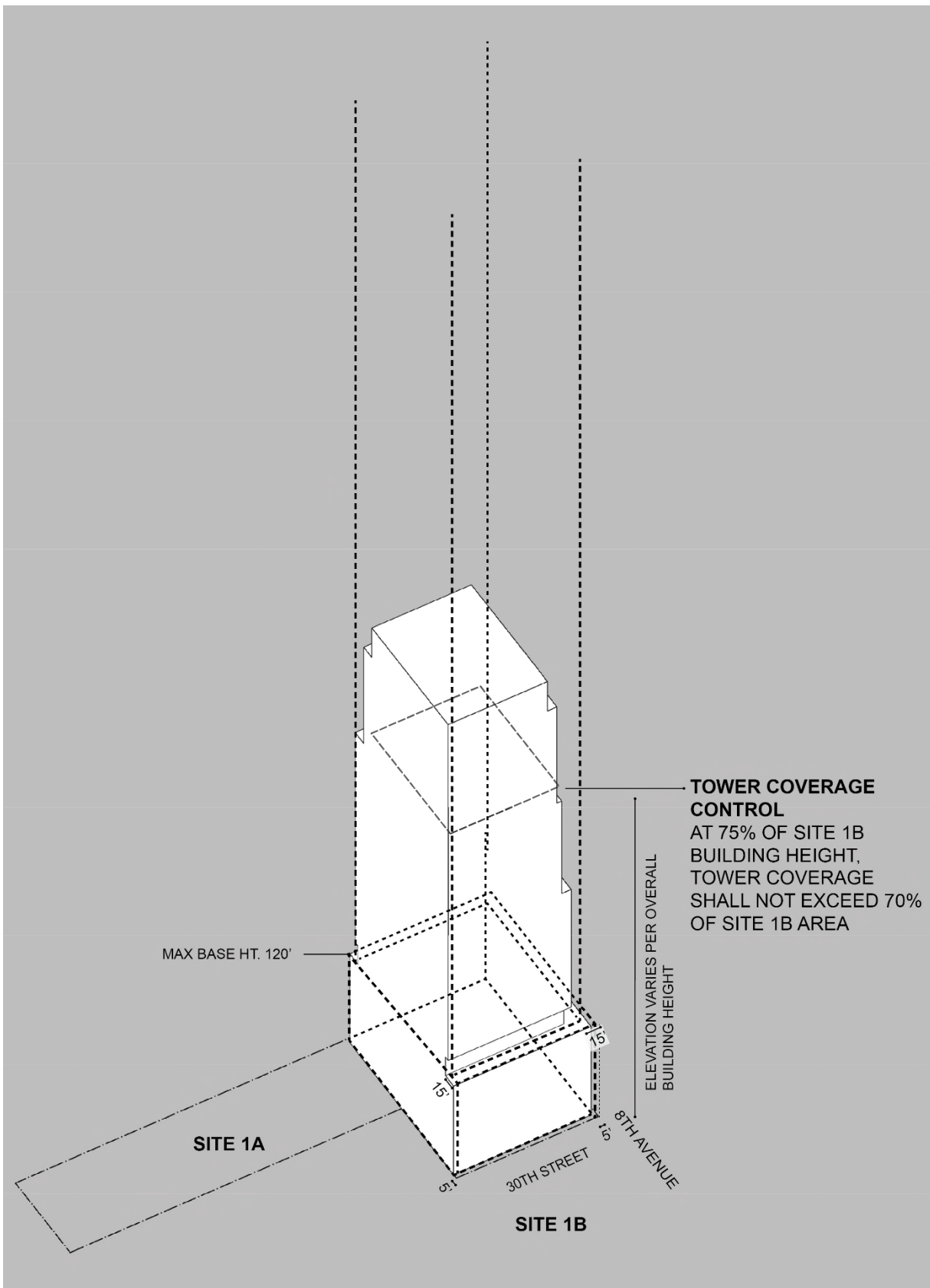
## Penn Station Area Final Design Guidelines



**Figure IV-1.4** Site 1B Ground Floor Control Diagram

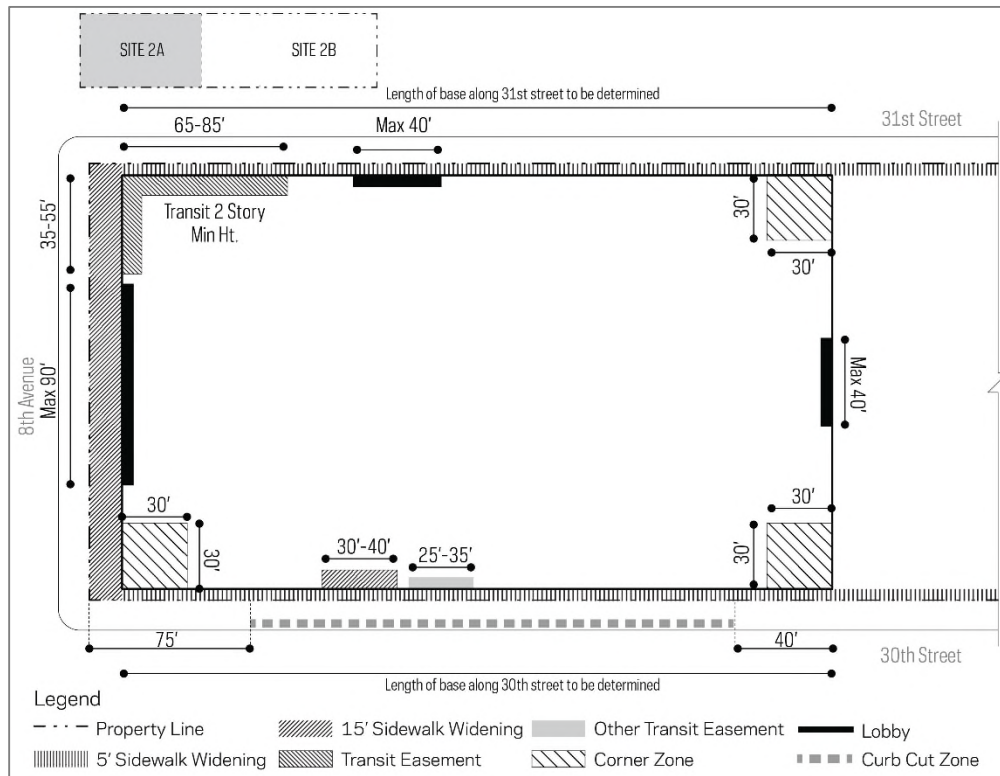


**Figure IV-1.5** Site 1B Tower Control Diagram

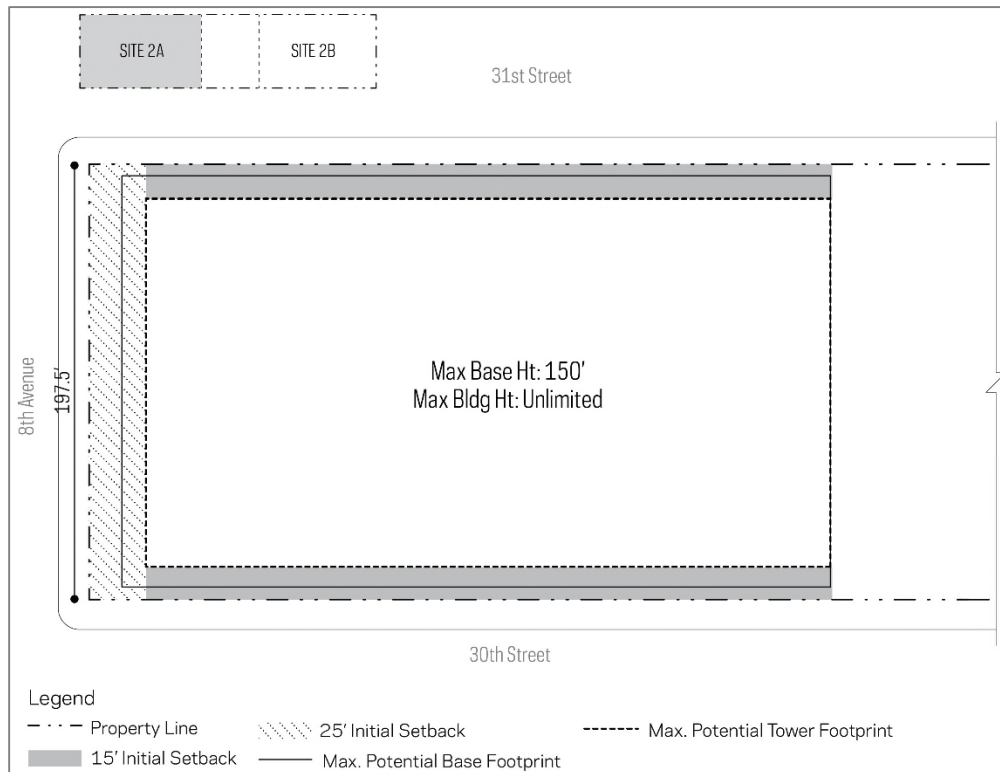


**Figure IV-1.6** Site 1B Massing Controls

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**Figure IV-2.1** Site 2A Ground Floor Control Diagram



**Figure IV-2.2** Site 2A Tower Control Diagram

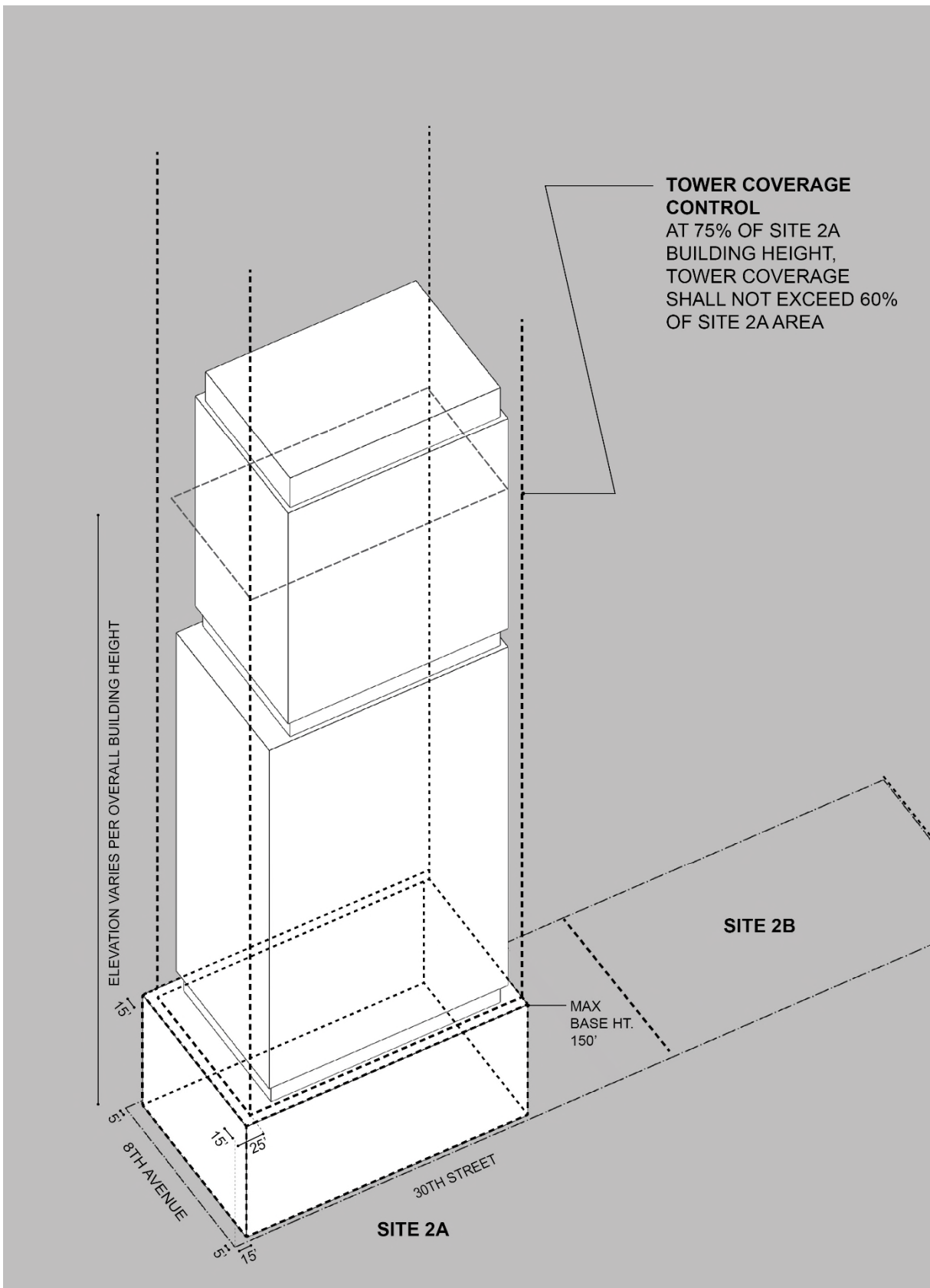
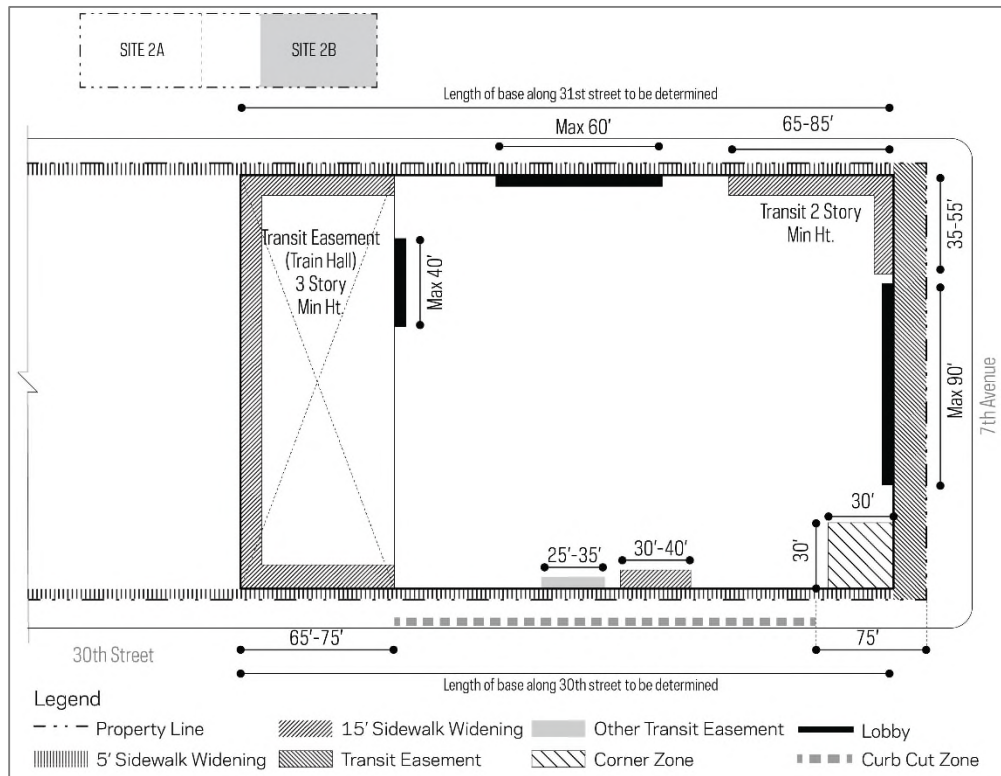


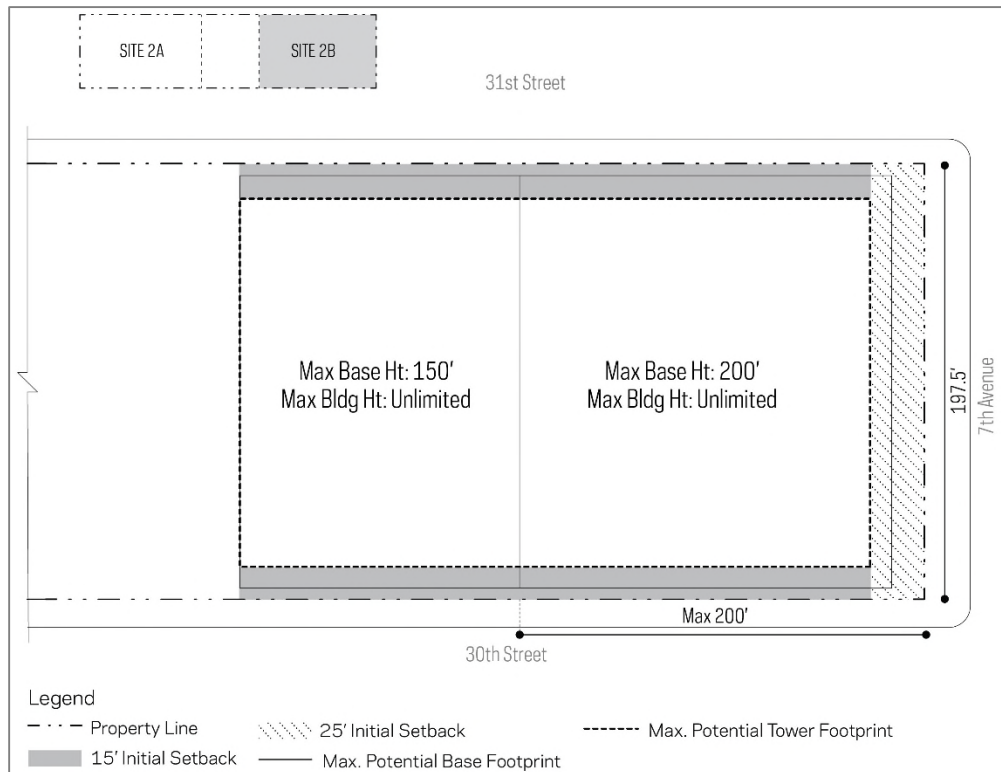
Figure IV-2.3

Site 2A Massing Controls

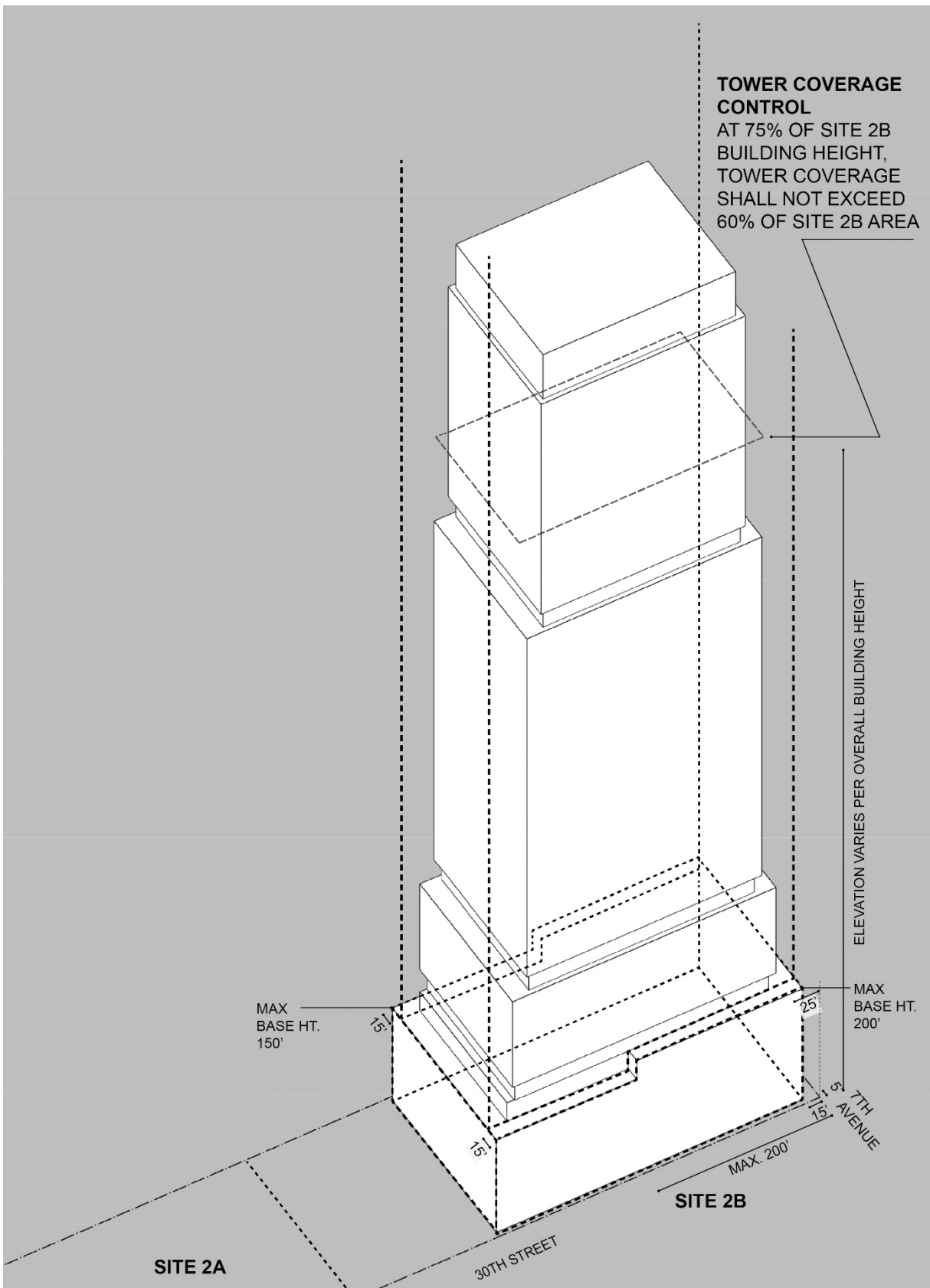
## Penn Station Area Final Design Guidelines



**Figure IV-2.4** Site 2B Ground Floor Control Diagram

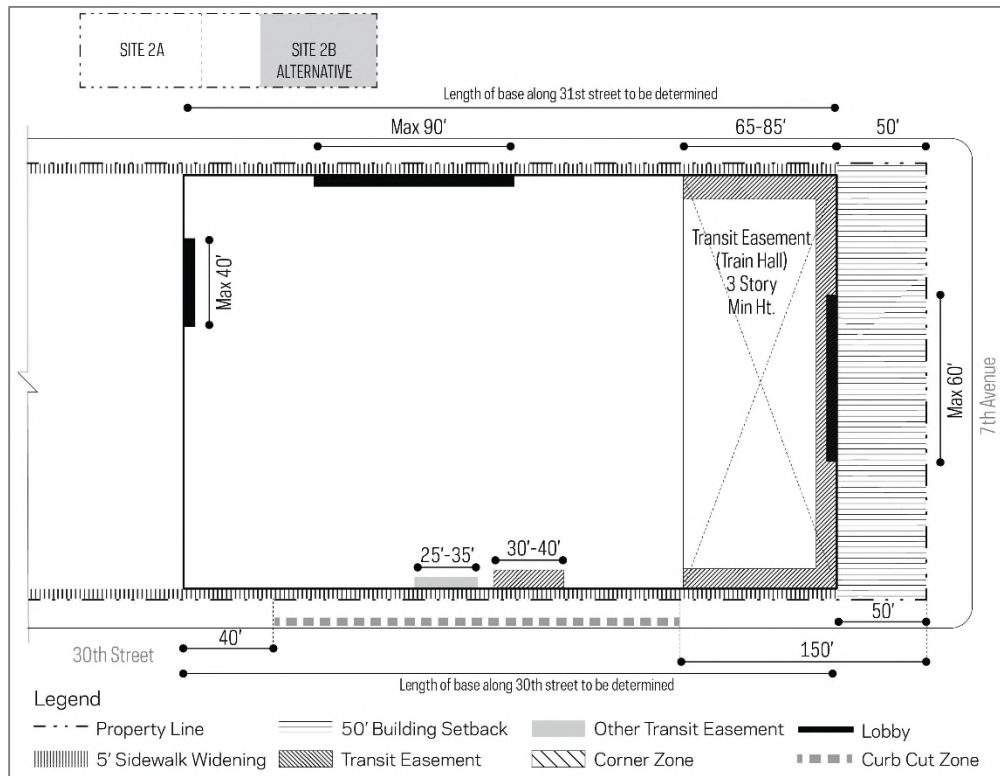


**Figure IV-2.5** Site 2B Tower Control Diagram

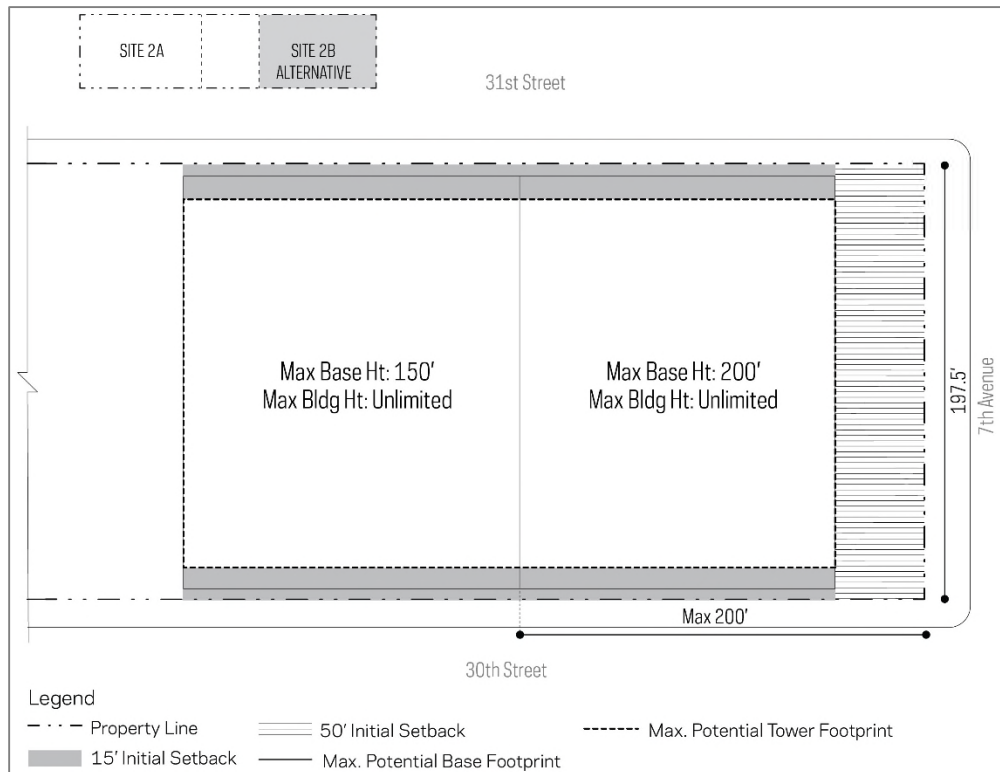


**Figure IV-2.6** Site 2B Massing Controls

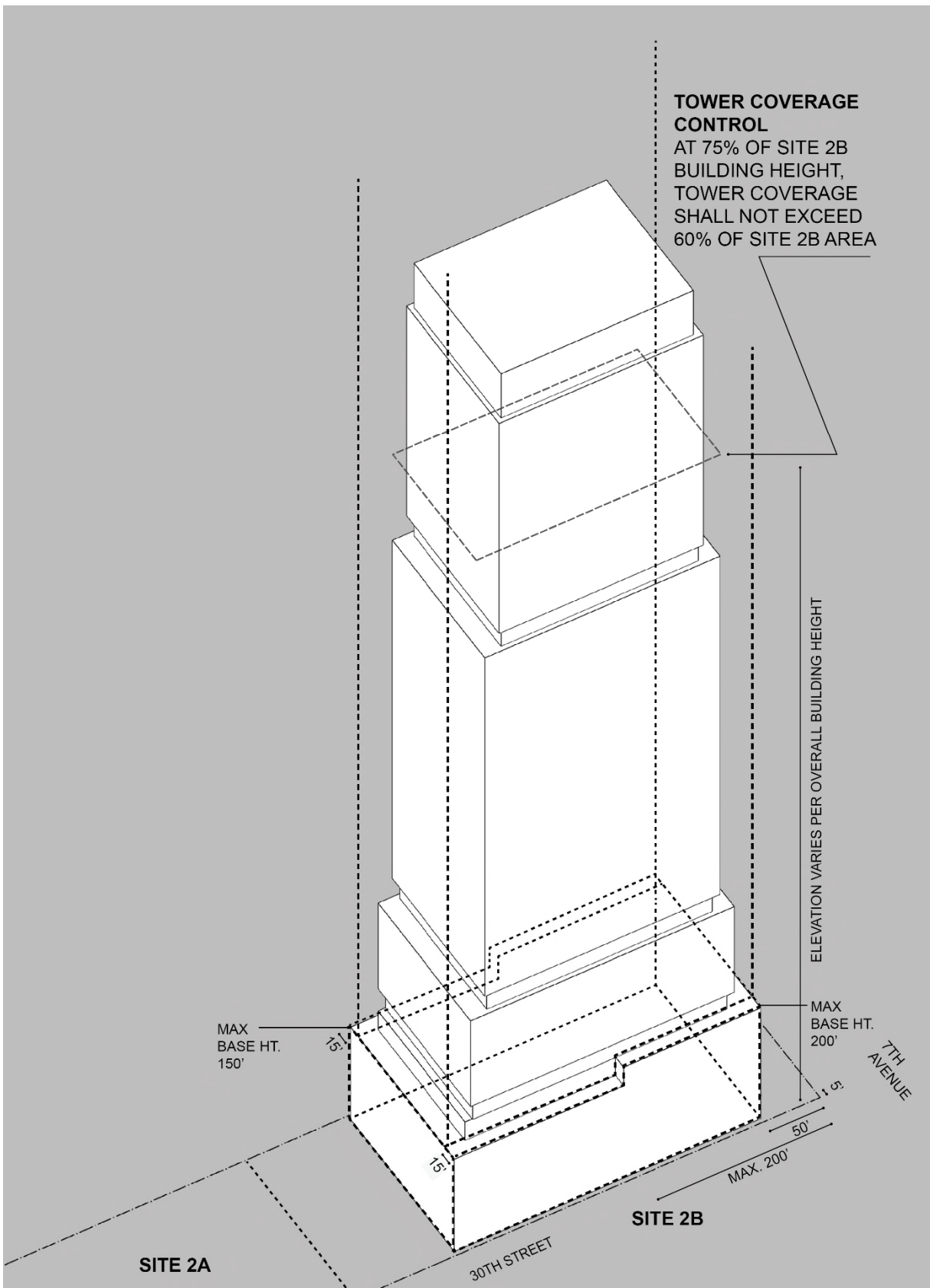




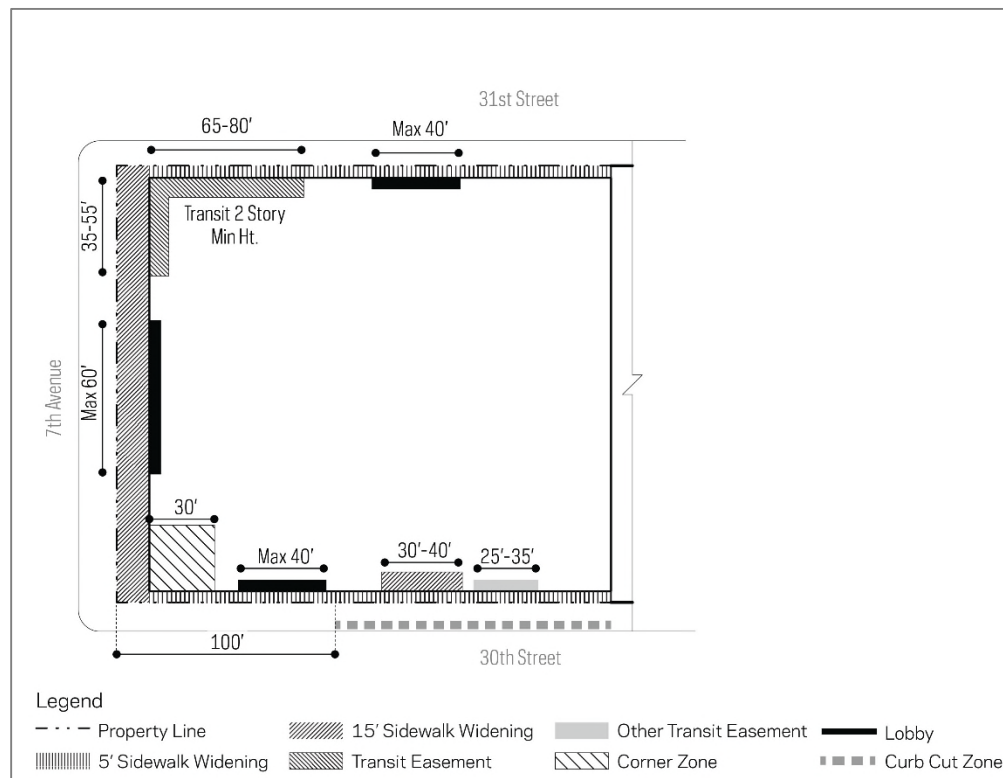
**Figure IV-2.7** Site 2B Ground Floor Control Diagram (Alternative)



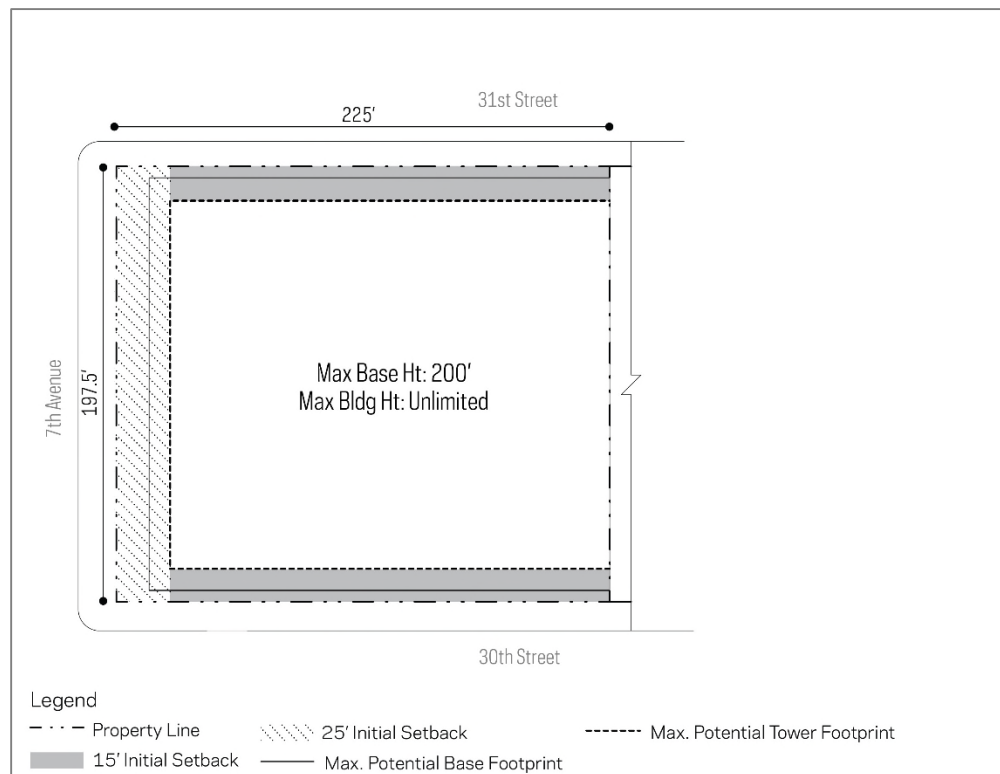
**Figure IV-2.8** Site 2B Tower Control Diagram (Alternative)



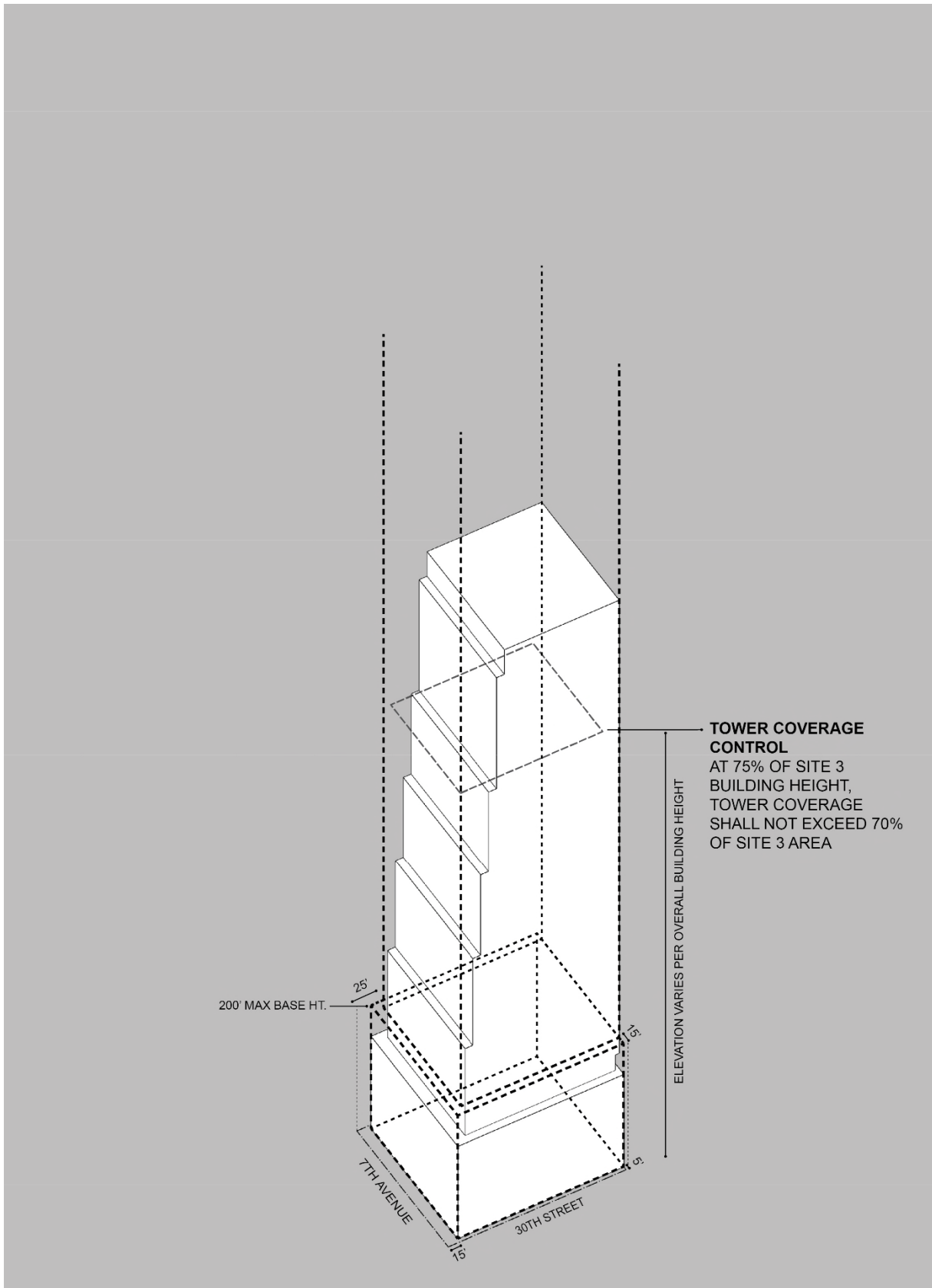
**Figure IV-2.9** Site 2B Massing Controls (Alternative)



**Figure IV-3.1** Site 3 Ground Floor Control Diagram



**Figure IV-3.2** Site 3 Tower Control Diagram



**Figure IV-3.3** Site 3 Massing Controls

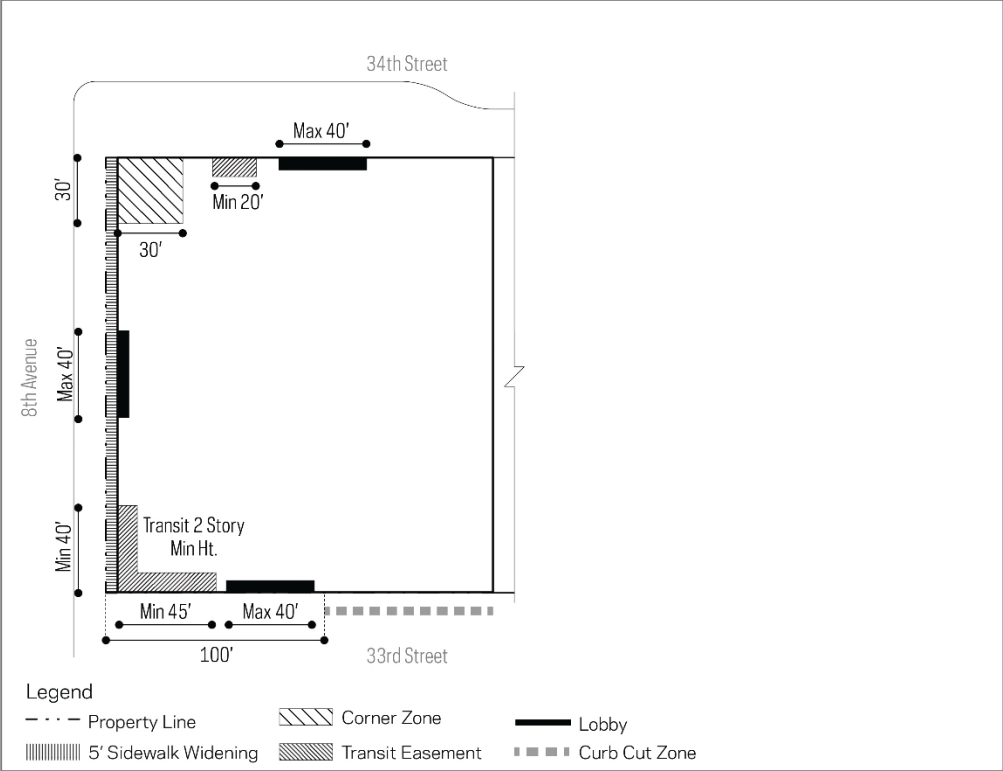


Figure IV-4.1 Site 4 Ground Floor Control Diagram

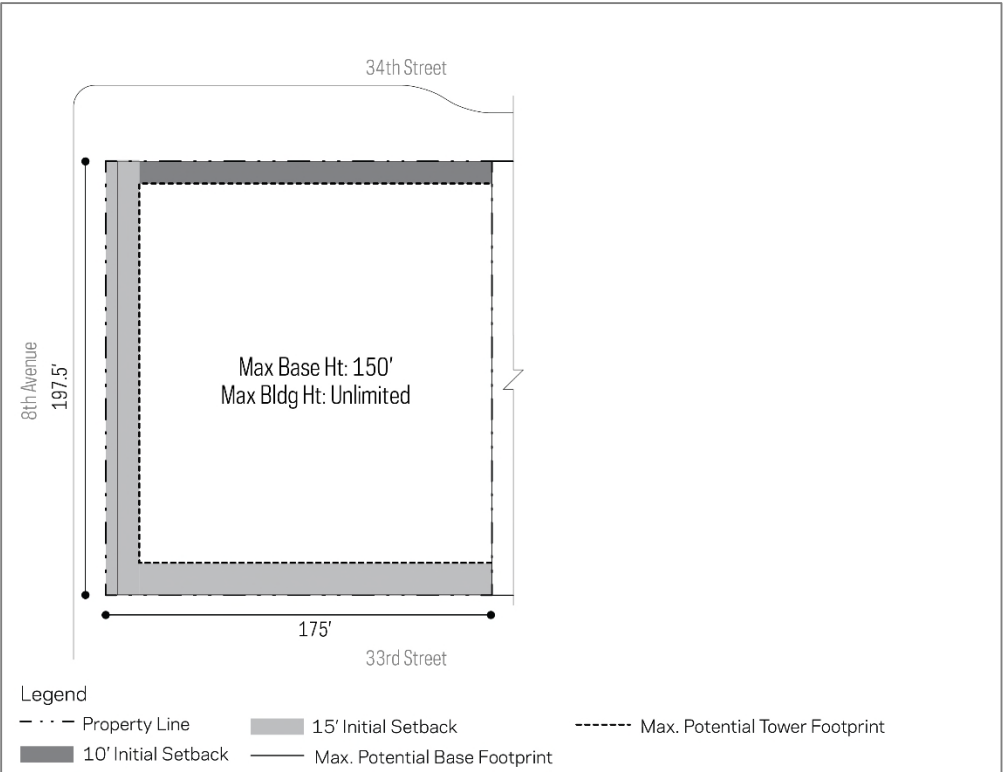
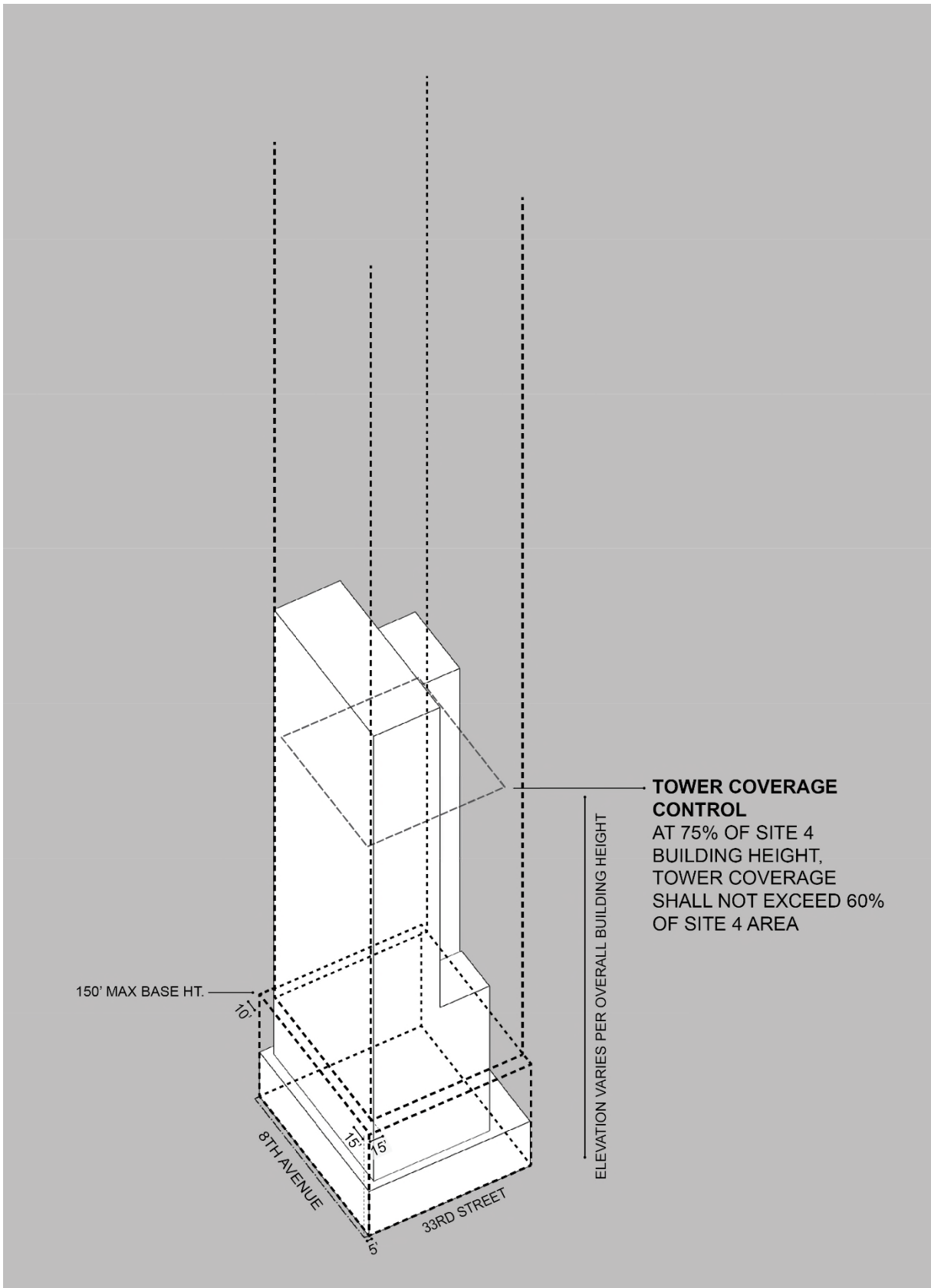
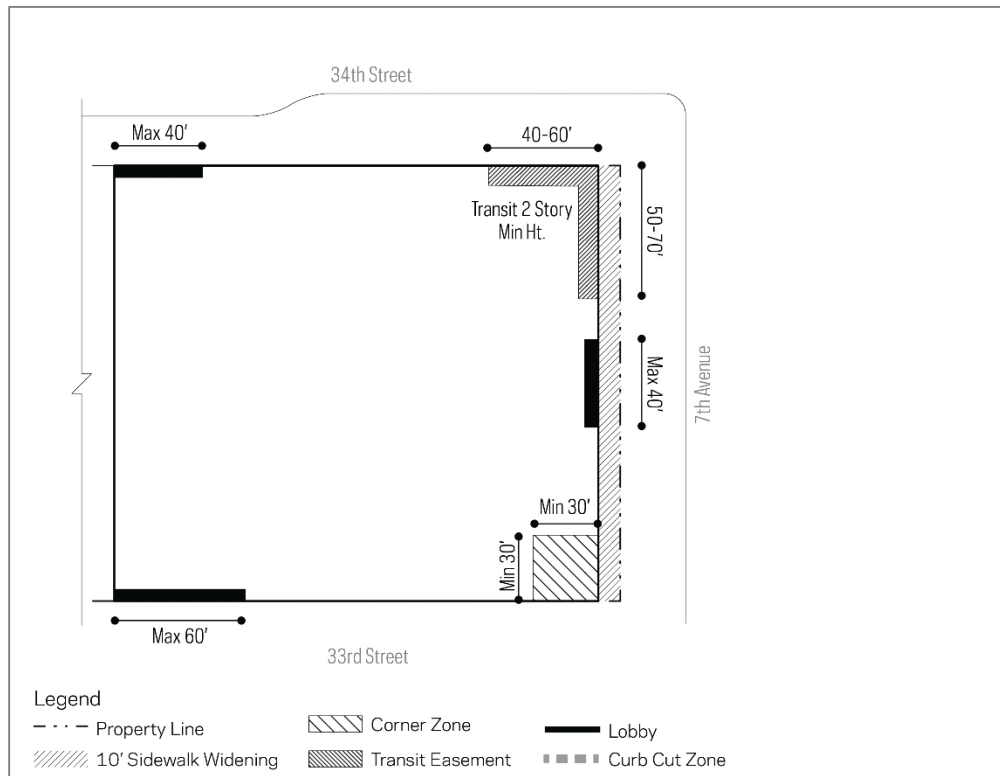


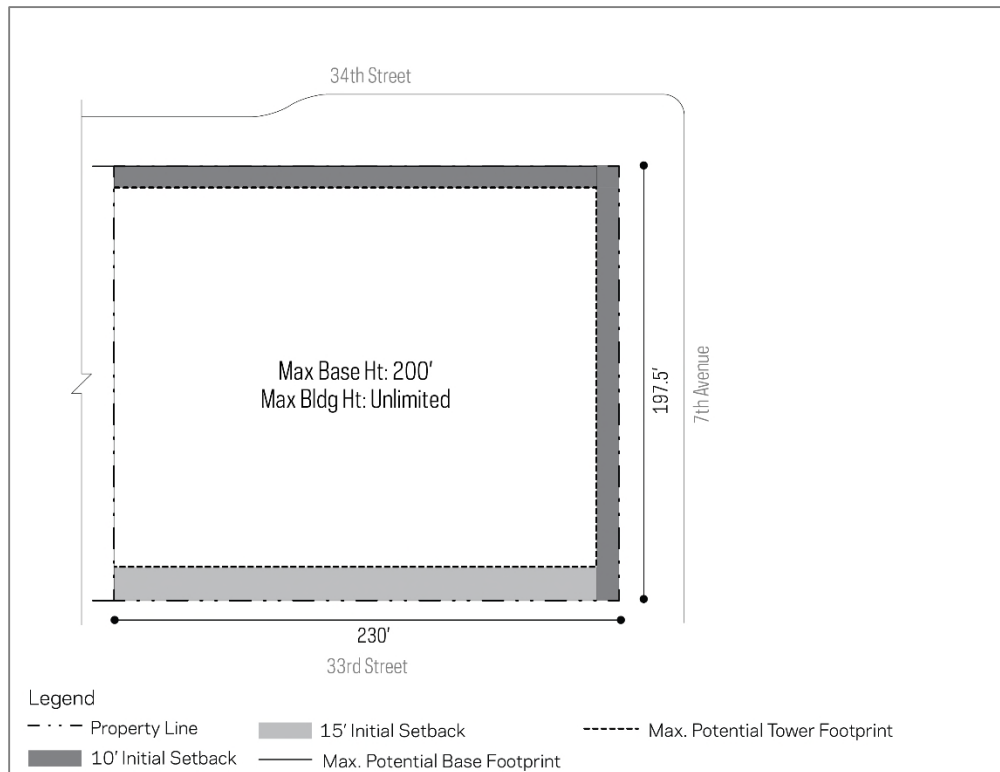
Figure IV-4.2 Site 4 Tower Control Diagram



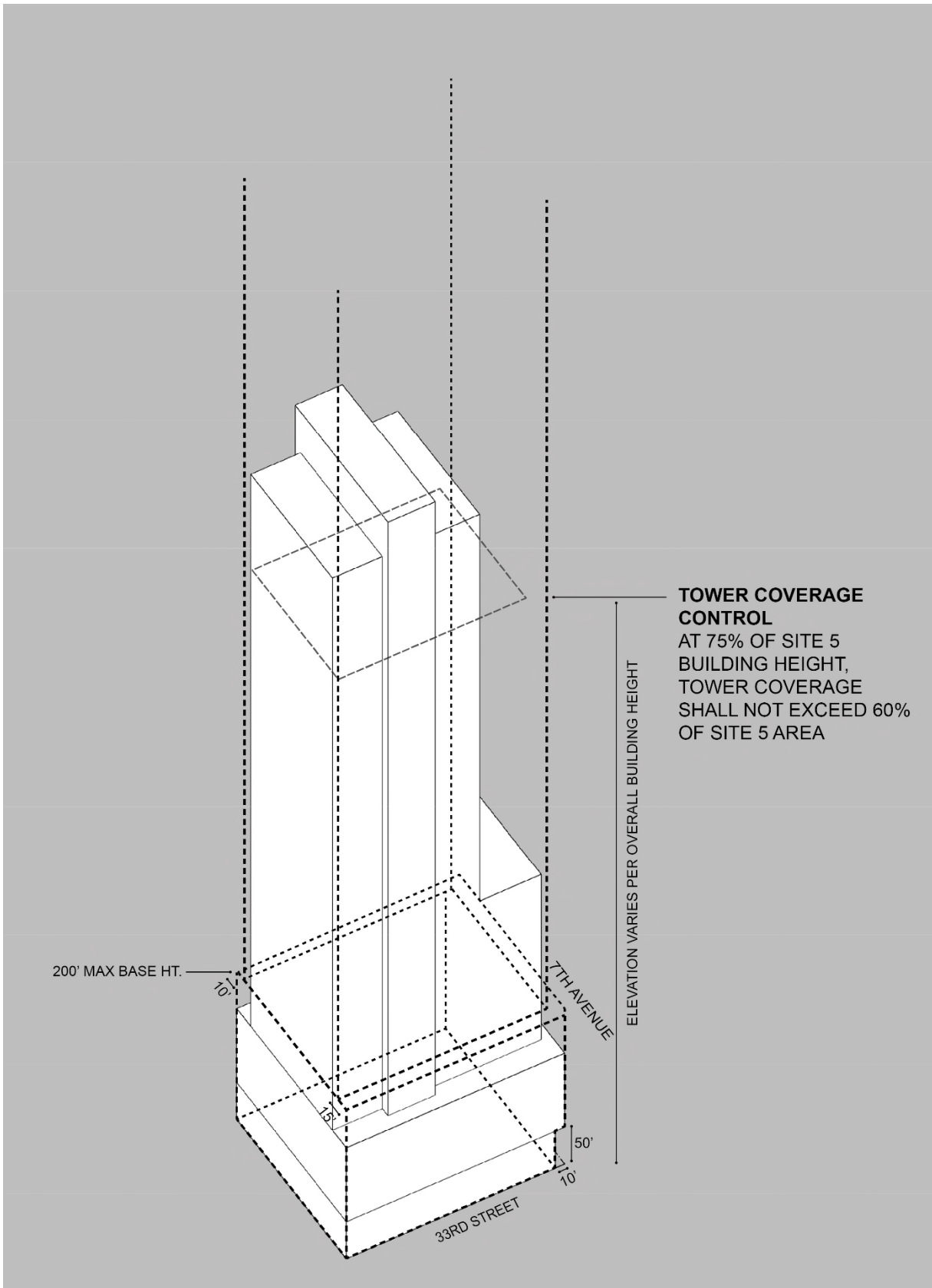
**Figure IV-4.3** Site 4 Massing Controls



**Figure IV-5.1** Site 5 Ground Floor Control Diagram

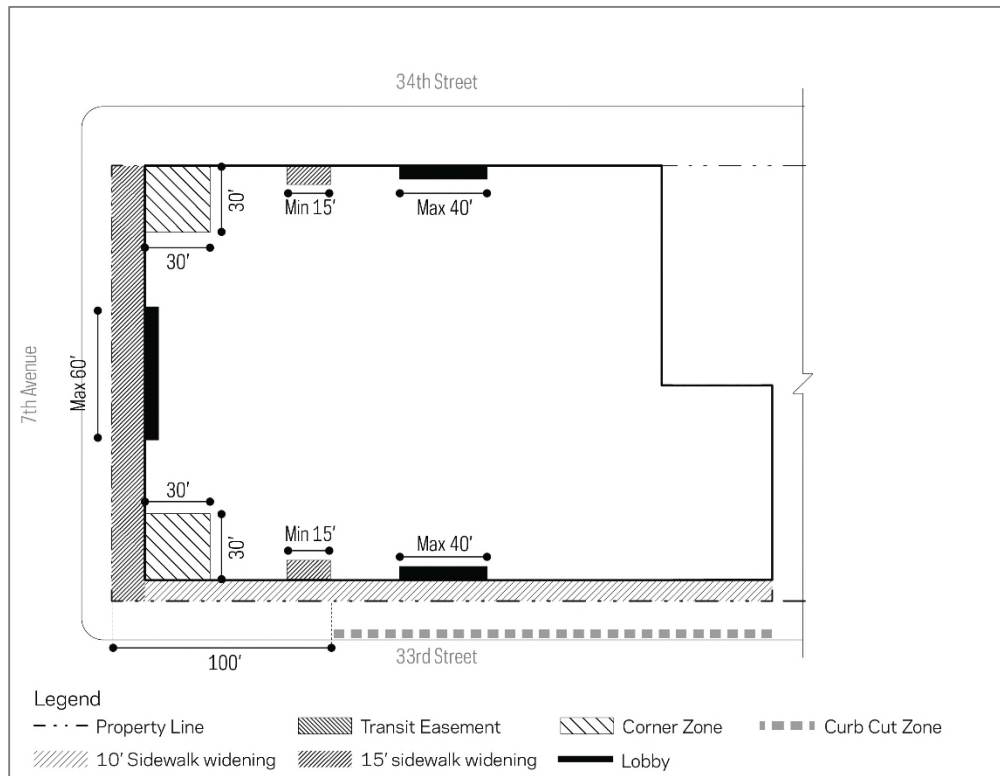


**Figure IV-5.2** Site 5 Tower Control Diagram

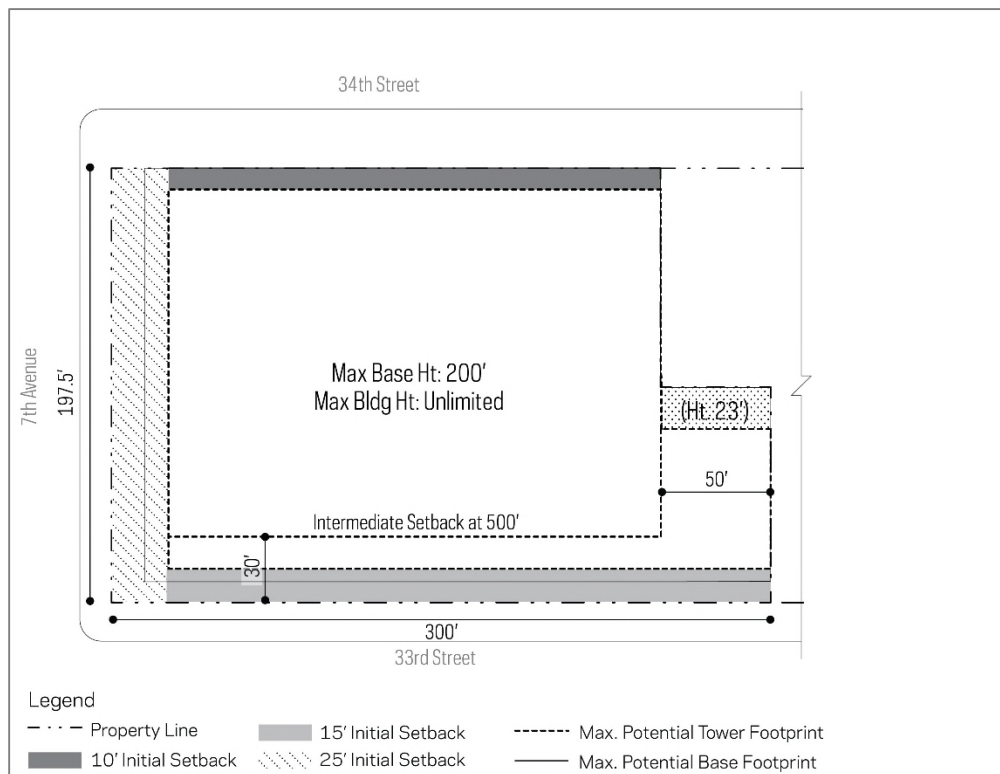


**Figure IV-5.3** Site 5 Massing Controls

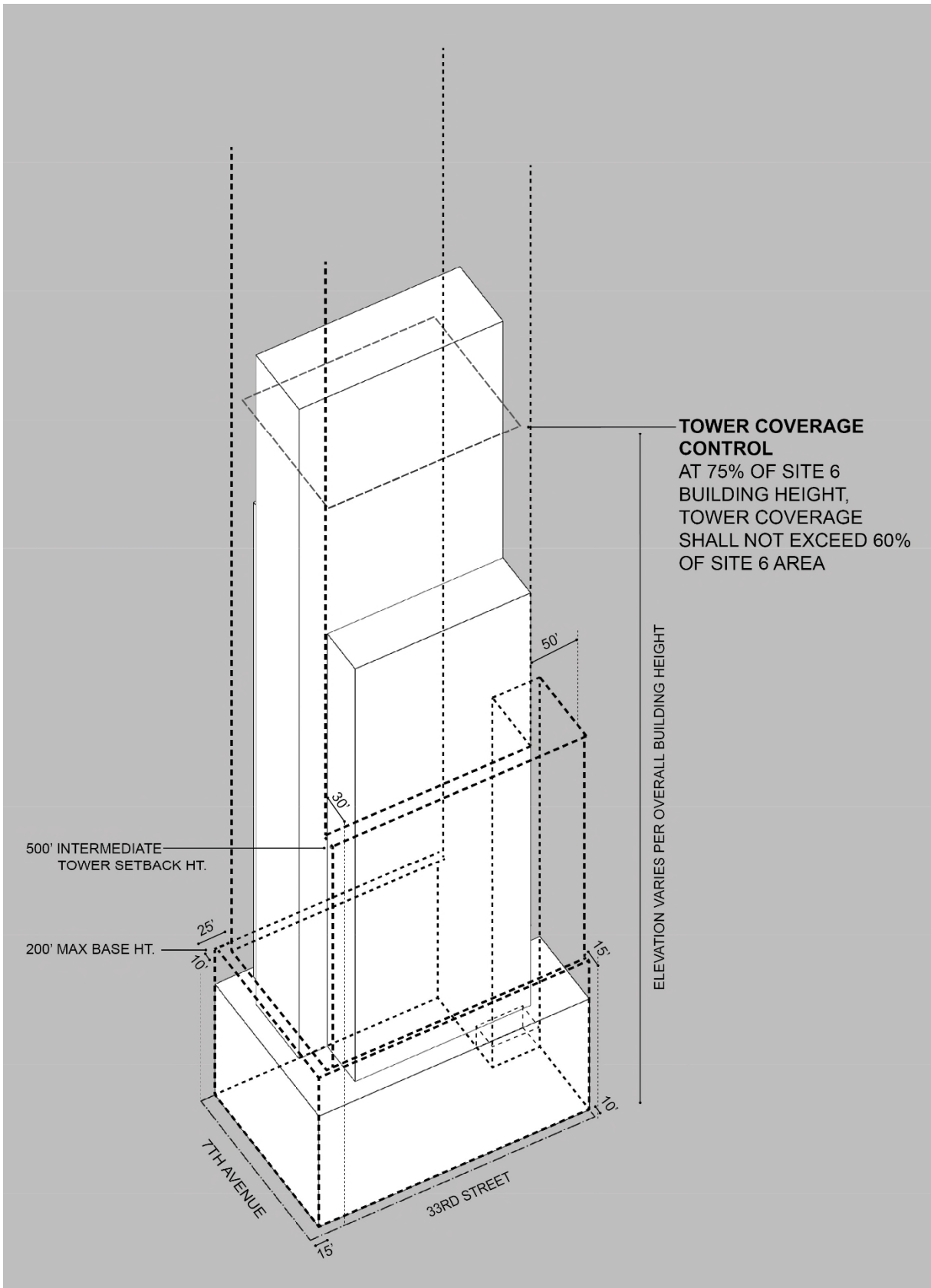




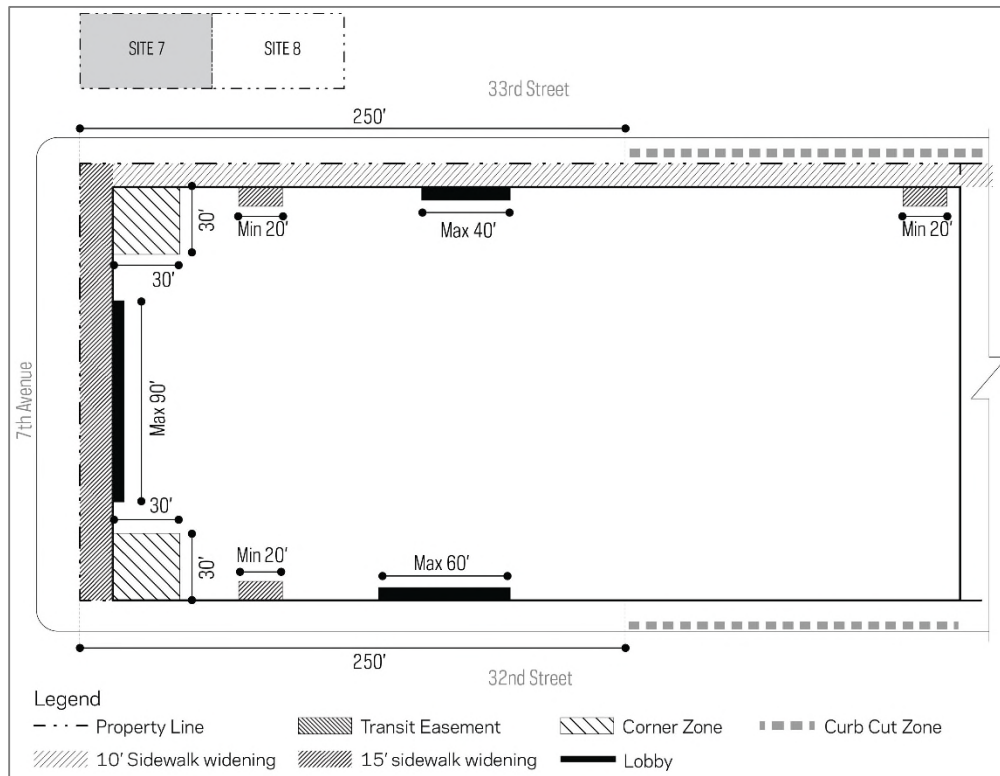
**Figure IV-6.1** Site 6 Ground Floor Control Diagram



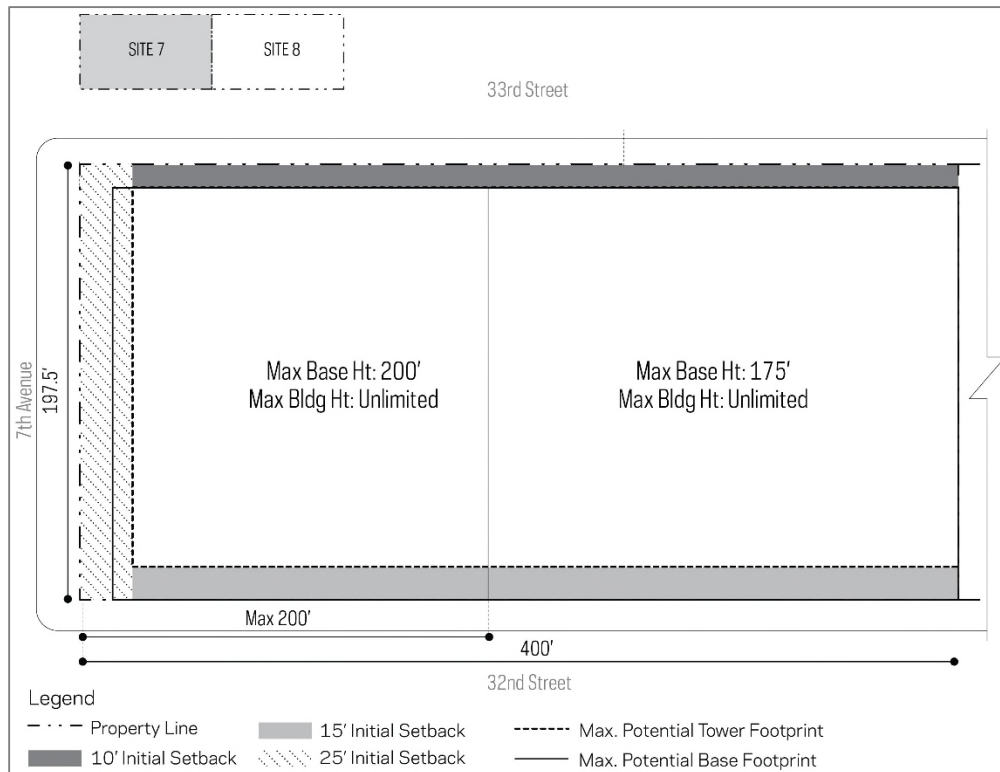
**Figure IV-6.2** Site 6 Tower Control Diagram



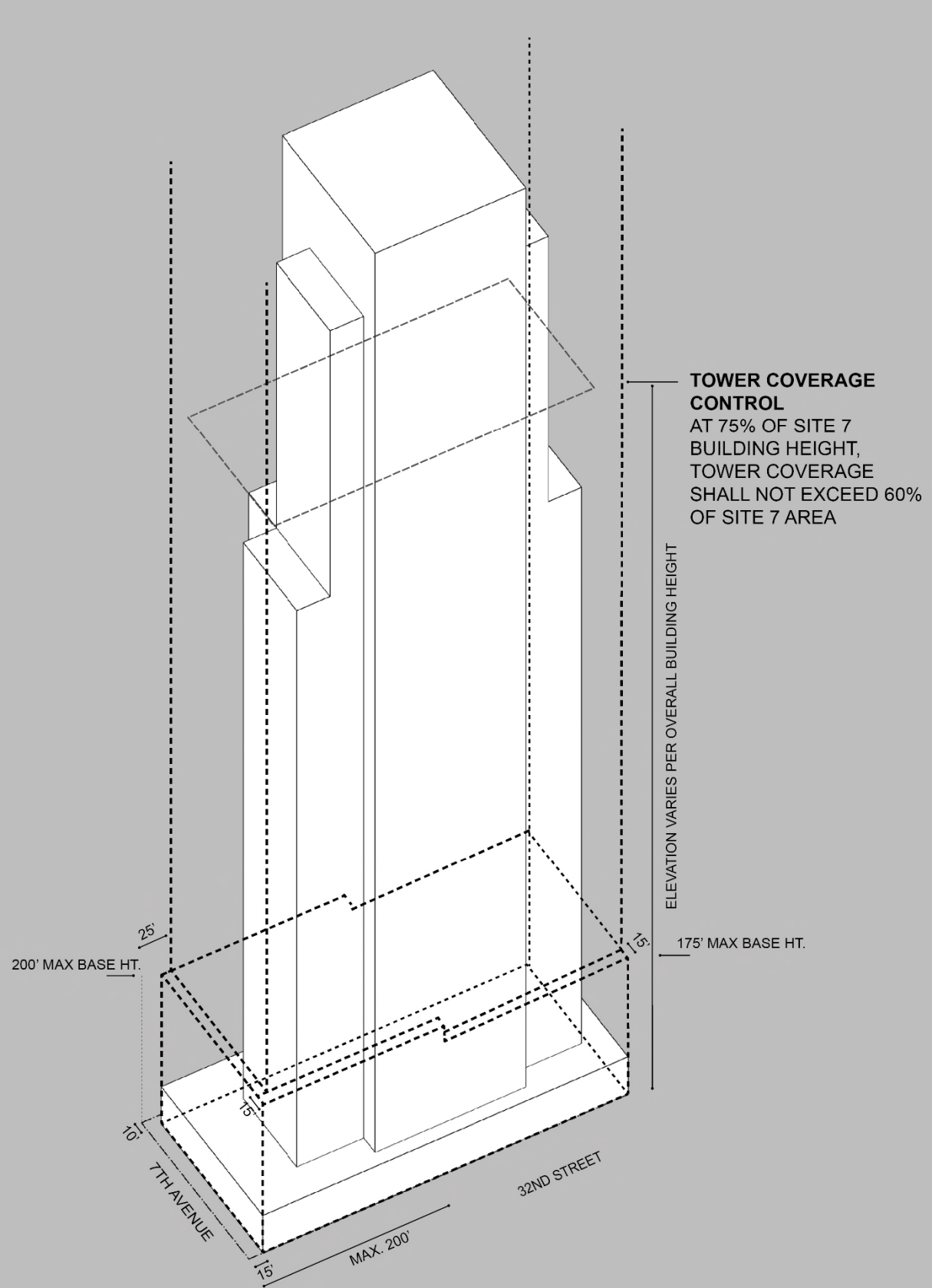
**Figure IV-6.3** Site 6 Massing Controls



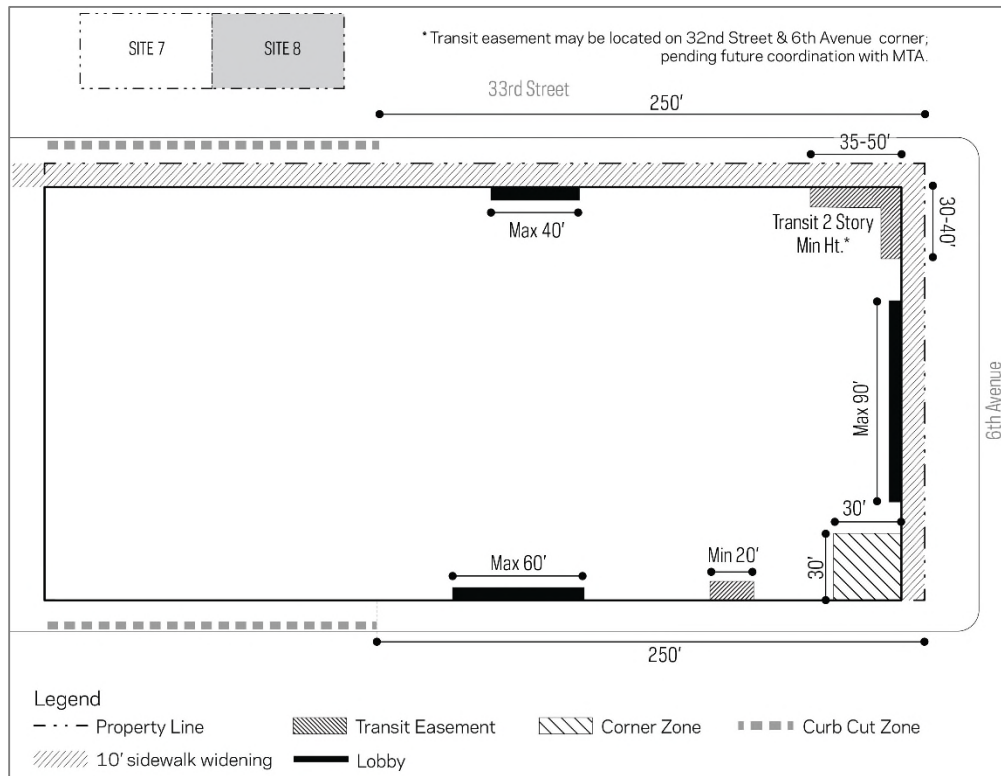
**Figure IV-7.1** Site 7 Ground Floor Control Diagram



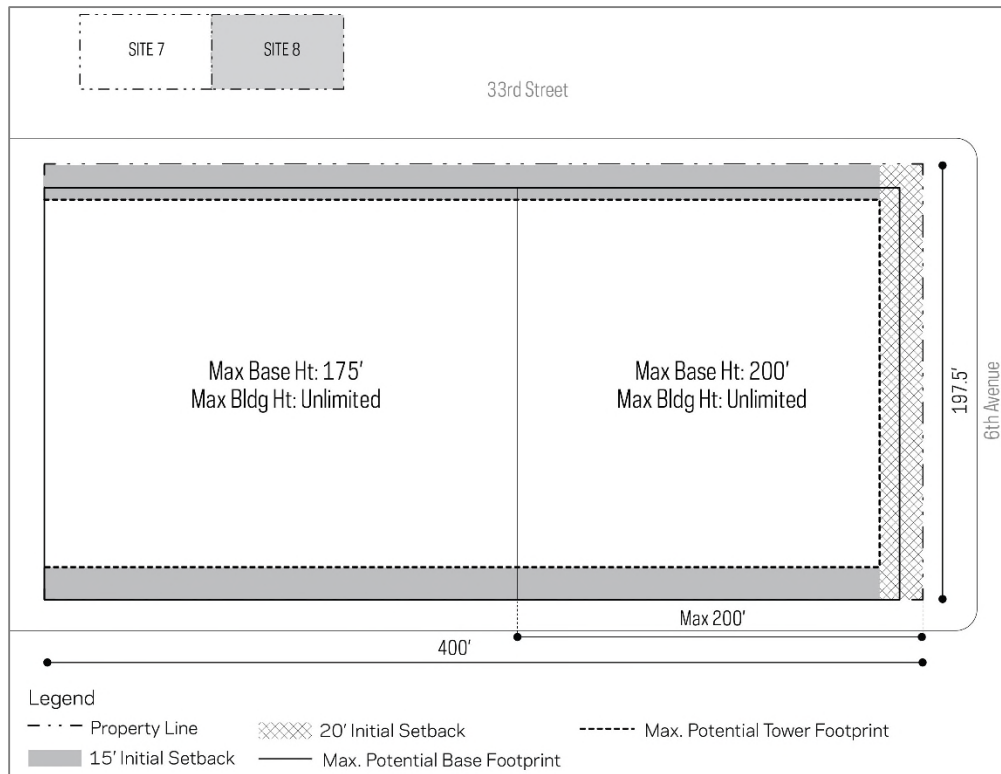
**Figure IV-7.2** Site 7 Tower Control Diagram



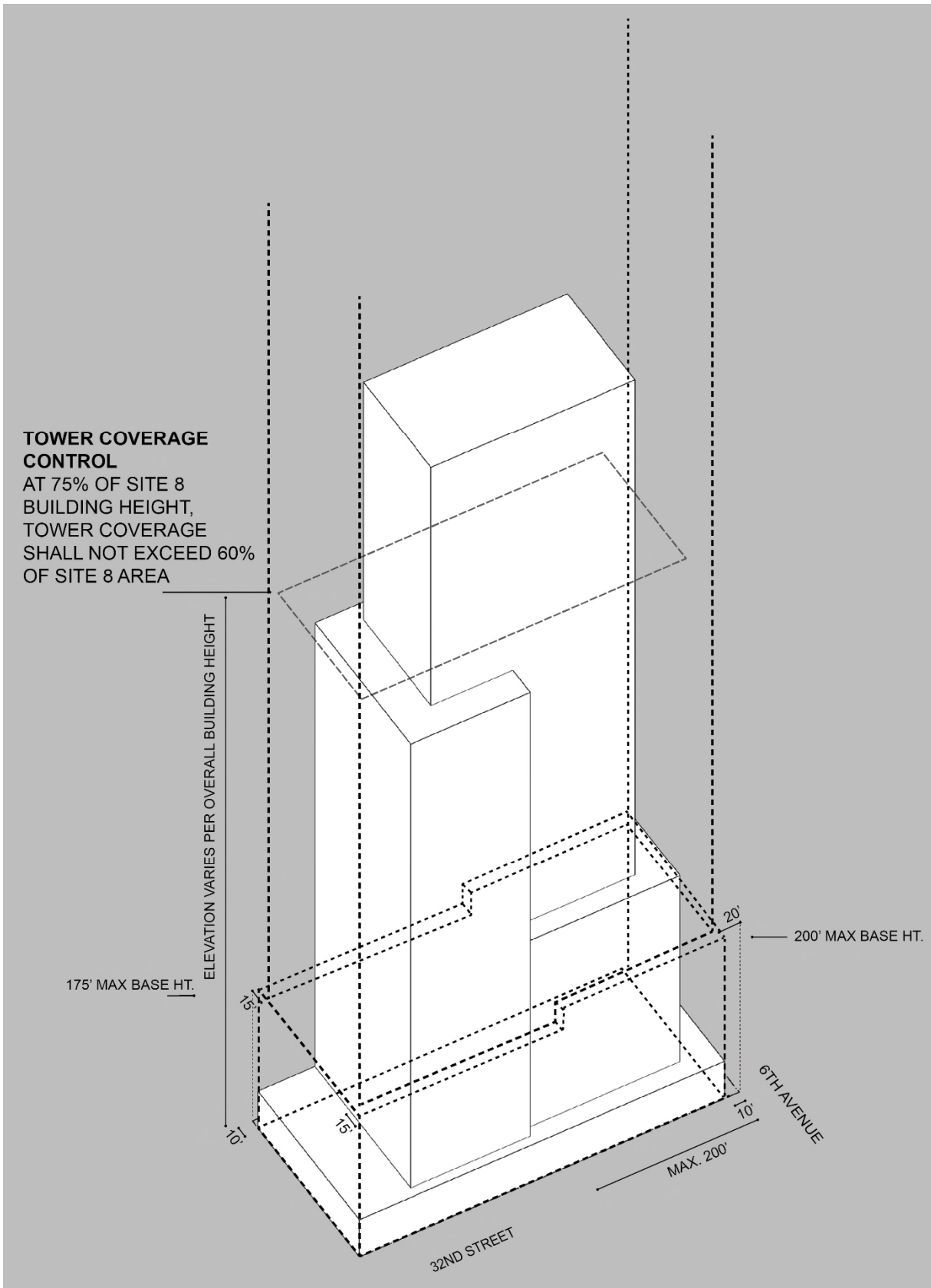
**Figure IV-7.3** Site 7 Massing Controls



**Figure IV-8.1** Site 8 Ground Floor Control Diagram



**Figure IV-8.2** Site 8 Tower Control Diagram



**Figure IV-8.3** Site 8 Massing Controls